

Farm Fuel Tank Safety Guide



This brochure is provided by North Dakota Department of Emergency Services, your Local Emergency Planning Committee, and the State Emergency Response Commission along with assistance from the ND Fire Marshal and the ND Department of Health.

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In North Dakota, It's common practice for farms and ranches to have fuel storage tanks and containers. Almost every year, accidents happen that raise questions on safety issues and reporting requirements. The Farm Fuel Tank Safety Guide is designed to help farmers and ranchers understand what is required of them and how to protect lives, property, and the environment.

Regulations

SARA Title III (Public Law 99-499)

More widely known as the Emergency Planning and Community Right-to-Know Act (EPCRA), Section 304 (a) and (b) state that if a release of an Extremely Hazardous Substance (EHS) or any substance subject to the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), the owner or operator of a facility shall immediately provide notice (by telephone, radio, or in person) to the emergency coordinator for the Local Emergency Planning Committee (LEPC) and to the State Emergency Response Commission (SERC). Oil spills 25 gallons or less and cleaned up immediately need not be reported.

SPCC Regulation 40 CFR 112

The Environmental Protection Agency's Spill Prevention Control and Countermeasures (SPCC) requirements must be complied with if both of the following conditions apply to your farm or ranch facility:

1. You own or operate a non-transportation related fixed facility that could reasonably be expected to discharge oil into or upon the navigable waters of the United States or adjoining shorelines.
2. Your facility has:
 - A total above-ground storage capacity of more than 1,320 gallons (counting only containers with a storage capacity equal to or greater than 55 gallons);

-or-

- A total underground buried storage capacity of more than 42,000 gallons, unless it meets all the Underground Storage Tank (UST) requirements (40 CFR 280-281)
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My facility qualifies. What should I do?

All SPCC-regulated facilities must have oil spill containment structures to prevent oil spills and contaminated runoff from reaching storm drains, streams, ditches, rivers, and other navigable waters. See 40 CFR 112.7 for a list of possible containment systems.

If you are the owner or operator of a SPCC farm or ranch, you must have a written site-specific spill prevention plan that details your facility's compliance with 40 CFR part 112. Requirements for specific elements to include the SPCC Plan are found in 40 CFR 112.7.

Once your Plan is completed, a Registered Professional Engineer (PE) who is familiar with the SPCC requirements and has examined your facility must review and certify the Plan. Most importantly, you must fully implement the SPCC Plan.

If your facility is newly constructed, contact the ND Department of Emergency Services haz-chem coordinator for information regarding plan submission and requirements for SPCC plans.

Remember to consider

- All petroleum based oil, including petroleum, fuel oil, oil refuse, oil mixed with waste, other than dredged, stored on your farm or ranch, may be subject to the regulation. This includes oil used to lubricate machinery, maintain equipment, heat buildings, run irrigation pumps, fuel vehicles and heavy equipment. Once you exceed **one** of the SPCC capacity requirements, you must manage **all oil at your site** to comply with the rule.
- State exemptions do not supersede the requirement to comply with the Federal Oil Pollution Prevention Regulation.

- For more information contact the U.S. Environmental Protection Agency at 303-312-6839 or 303-312-6202.

North Dakota Petroleum Tank Release Compensation Fund (PTRCF)

The PTRCF financially assists tank owners for cleanup costs and third party liability caused by a leak or spill.

Both underground and aboveground tanks are covered by the Fund. An owner must register all tanks and pay an annual fee of \$100.00 for each tank prior to the discovery of a release. Note: This fee is variable, considering what the current fund status is. Contact Special Funds, ndspecialfunds@nd.gov, or visit: <https://www.nd.gov/ndins/specialfunds/petroleumtank/> for more information.

Farm and ranch underground tanks greater than 1,100 gallons must be registered. Underground tanks less than 1,100 gallons and all aboveground tanks are excluded if they are used for non-commercial purposes.

Farmers and ranchers can voluntarily join the Fund upon application and payment of fees for excluded tanks.

For more information contact the North Dakota Insurance Department at 701-328-9600.

North Dakota Underground Storage Tank Program (UST)

Farm and ranch underground petroleum tanks greater than 1,100 gallons must meet all the UST requirements of North Dakota Administrative Code Chapter 33-24-08, Technical Standards and Corrective Action Requirements for Owners and Operators of Underground Storage Tanks.

Owners/operators of existing or new tanks regulated under the UST Program are required to notify the UST Program and register their tanks.

For assistance and information, contact the North Dakota Department of Health, Division of Waste Management, UST

Program at 701-328-5166.

What do I do if I have a leak or spill?

1. Contain the spill and protect lives and property.
2. Contact emergency responders and the Local Emergency Planning Committee (LEPC).
3. All leaks and spills must be dealt with immediately. If you need immediate assistance, the Duty Officer will contact the ND Department of Health. For other assistance and information, contact the Department's Waste Management Division at 701-328-5166 during normal working hours.
4. Contact the ND Department of Emergency Services Duty Officer through State Radio at 1-800-472-2121 with the following information, if possible:
 - Name or type of substance;
 - Actions taken to contain the spill/leak;
 - Estimated quantity released;
 - Time and duration of release;
 - Type of area affected (ground, water, wetlands, river, etc.);
 - Noticeable health effects as a result of the spill/leak; and
 - Your name and contact information.

Who do I call for information about SPCC plans?

Call the ND Department of Emergency Services haz-chem coordinator at 1-800-773-3259.

Fuel Tank Guidelines

Tank Construction	<p>Under 1,100 gallons (Use of good and sound engineering practices) Over 1,100 gallons (Refer to Underwriters Laboratory Standard 142) Tanks designed for underground use cannot be used aboveground</p>
Tank Supports	<p>Tanks over 1,100 gallons must be placed on firm ground or have supports of non-combustible construction (such as concrete) NO metal stands</p>
Piping Support and Protection	<p>Pipe not buried underground must be protected from damage and supported to prevent stress on the pipe and cracking Pipe buried underground must be installed with leak protection</p>
Capacity	<p>10,000 gallons per tank (MAX)</p>
Venting	<p>Under 1,100 gallons (Normal Venting Required) Over 1,100 gallons (Normal and Emergency Venting Required)</p>
Tank Valves	<p>Under 1,100 gallons must have a manual shut-off valve as close to tank as practicable Over 1,100 gallons must have an internal or external fire valve, manual shut-off valve and solenoid valve for a remote dispenser</p>
Fire Extinguisher	<p>Minimum of one rated at 40 BC recommended; Located as close as practicable</p>

Fuel Tank Guidelines

Spill Control	<p>Under 1,320 gallons has no requirement</p> <p>Over 1,320 gallons must have protection usually in the form of a dike of liquid-tight material such as earth, clay, or concrete</p> <p>Dike area must be of a size to hold the quantity of the largest tank, displacement of additional tanks, and extra for rain water</p>
Tank Location	<p>All tanks must be placed at a safe distance from buildings: 10 feet from property lines and public right-of-ways—and 5 feet from an occupied building.</p> <p>More than 1 tank, the separation must be at least 3 feet</p> <p>20 feet minimum from propane tanks</p> <p>Tanks less than 1,320 gallons must have 40 feet of clear space perimeter</p>
Additional Information ND Fire Marshal 701-328-5555	<p>1,100 gallons or less must be contained in only one tank</p> <p>Multiple tanks of 1,100 gallons or less must meet the requirements for spill control</p> <p>Avoid gravity feeding from tanks elevated above the ground</p> <p>Double-walled or vaulted tanks do not need dike spill control</p> <p>Piping for double-walled or vaulted tanks must enter the top of the tank</p>

Source: ND Administrative Code 10-07 and NFPA 30 & 395

