

Residential Fuel Tanks

Effective June 30, 1995, the Washington state Fire Code requires that "Tanks and piping serving oil burning equipment which have been out of service for a period of one year shall be removed from the ground or abandoned in place . . ." (WAC 51-34-6106)

This means that anyone who owned property with a tank which had been out of service for any length of time prior to June 30, 1995 had until June 30, 1996 to have the tank "abandoned in place" (closed) or removed without penalty. Thereafter, anyone who abandons a tank must have it closed or removed within one year or be in violation of the state regulation.

Washington has adopted the Uniform Fire Code as part of the state Building Code. Amendments to the Fire Code require tanks abandoned for a year or more to be removed or closed in place. These amendments also require a permit to be issued by the local fire or building permit authority prior to closing or removing a tank. Local fire marshals currently have the authority to determine that it is not necessary to remove any of the underground oil tanks in his or her jurisdiction, allowing individual home owners to decide whether to remove their tanks or abandon them in place.

Enforcement of the Uniform Fire Code provisions of the state Building Code is the responsibility of counties or cities. Regulation and policies vary and may change over time. Check with the local fire marshal or building permit office concerning local procedures.

Under the state Model Toxics Control Act, the tank owner, the seller of the property the tank sits on, the buyer of the property, or others involved may each or all be held liable for damages caused by a leaking tank. Corrosion can cause underground tanks to deteriorate, making cave-ins possible, which could also be the responsibility of the owner of the tank.

As a result of the Heating Oil Pollution Liability Act of 1995, a fund is available in Washington to cover the cost of leaks and other environmental damage up to \$60,000. This program is available to owners of registered residential oil tanks only, and does not cover pre-existing oil leaks. For registration materials or more information contact the Pollution Liability Insurance Agency at 1-800-822-3905.

Also, the Real Property Transfer Disclosure Statement, which most sellers of residential property in Washington are required to complete, specifically asks the question: "Are there any tanks or underground storage tanks on the property?" In most instances, the existence of fuel storage tanks must be disclosed prior to transferring property.

Finding tanks and identifying contents

If you know or suspect that there is an unused fuel storage tank on a property, you must locate it and determine if there is oil or other substances remaining in the tank. Most underground heating oil tanks are easy to locate by following fuel lines from the house,

locating tank vent pipes, or by using a probe or a metal detector. Once you have located the tank, find the filler cap, remove the cap and insert a long stick into the opening until it touches the bottom. Remove the stick to see if there is any oil remaining in the tank.

Water in a tank may indicate leakage. Sometimes tank water settles to the bottom. Check for water by putting a small amount of water-reactive paste in the end of a stick and inserting it into the tank.

If there is water, the paste will turn color. Water-reactive paste can be purchased from most heating oil companies.

Removing oil from tanks

The Department of Ecology strongly recommends all unused heating oil be removed from tanks. Removing the oil is the easiest and least costly action to prevent contamination of soil and ground water. After the oil is pumped out, the decision must be made whether to have the tank closed or completely removed.

Most commercial providers of heating oil have the capability of removing old oil from tanks. Some charitable organizations sponsor programs to donate oil to low-income residents. Participating companies will recycle your oil for a minimal fee. Check with local heating oil companies to find out if there is such a program in your area.

Closing tanks

Tanks no longer in use either need to be closed or removed. If the local fire marshal or current property owner determines removal isn't practical or possible, the tank must be "abandoned in place". This means that the property owner (or a company hired by the owner) performs a number of tasks such as:

- Determine if leakage has occurred
- Pump remaining oil from tank
- Clean out sludge in tank
- Remove or cap lines
- Fill tank with inert solid (e.g. sand/slurry mix)
- Plug or cap all openings
- Backfill if necessary

Removing tanks

The Department of Ecology strongly recommends removing tanks no longer in service for a number of reasons. If the tank has leaked, it will be easier to locate and clean up contaminated soil. Home buyers and lending institutions may require assurances that the property is not contaminated before agreeing to complete property transactions. Tank removal allows a thorough inspection of the area under the tank and more accurate soil sampling.

Most of the steps involved in removing underground tanks are the same as for closing tanks, with the possible addition of:

- Excavate wider area
- Remove potentially explosive vapors
- Properly dispose of tank
- Clean the contaminated area

Who can do the work

While there is no law prohibiting the property owners from closing or removing fuel tanks themselves, it is not recommended because of the potential safety risks. Unless the property owner is qualified to do the work, the services of experienced contractors should be secured.

Many companies are in the business of providing services to those owning residential oil storage tanks. These services can include pumping, cleaning, filling, removal and disposal. To find a company to close or remove a fuel storage tank, look in the yellow pages under "Tanks". Be sure to ask for references, certifications or licenses before selecting any contractor. Contaminated sites may require the services of an environmental remediation firm. Contact the Pollution Liability Insurance Agency for a list of reputable contractors qualified to do this work.

How much will it cost

The cost of residential fuel oil storage tank services varies depending on location, size, condition and accessibility of the tank. Companies that service tanks must take into consideration the possibility that other hazardous substances may be in or around the tank. They should include testing and handling costs when filling or removing a tank, which in turn affects the total cost. It is a good idea to get price quotes from several contractors and check references before selecting a contractor for this type of work.

Leaking tanks

Property owners should take action to stop a leaking tank. Leaks from underground heating oil tanks are usually discovered when tanks are removed, when vapors or heating oil seep into basements, when heating oil levels drop faster than they should, or water is found in the tank.

In most cases only the soil near the leaking tank is affected. However, sometimes the oil may have also contaminated surface or ground water. It is the owner's responsibility to:

- Evaluate the extent of contamination
- Determine threats to health and environment
- Clean up all contamination

If you believe you know of a leak from a residential heating oil tank that crosses a property boundary, impacts a water supply, or has caused extensive soil contamination, contact a regional Department of Ecology Office.

This information was prepared with the assistance Department of Ecology and other informed sources. However, the contents are the responsibility of the Washington Center for Real Estate Research. This document is not to be construed as legal advice.

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NOTE: The information contained in this brochure applies primarily to home heating oil tanks.

For more information about residential fuel oil tanks or other underground storage tanks contact:

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