

**New Hampshire Department of Environmental Services**

Aboveground Storage Tank Program

The Aboveground Storage Tank Program is designed to prevent releases of oil from aboveground Petroleum Storage Tanks (ASTs) in New Hampshire. **Petroleum ASTs are regulated by both the Department of Environmental Services (NHDES) and the New Hampshire Fire Marshal's Office.** NHDES established rules for petroleum ASTs in April 1997. The rules entitled Aboveground Petroleum Storage Facilities (Env-Or 300) can be downloaded below. These rules apply to:

- **facilities with a single AST system having a capacity greater than 660 gallons, or**
- **facilities with two or more ASTs that have a total storage capacity greater than 1,320 gallons**

(Note: ASTs with a combined capacity of 1,320 gallons or less storing fuel oil used only to heat an on-premise structure are exempt. This includes home heating oil tanks.)

Env-Or 304.06 Records To Be Maintained.

(a) All records listed in (c) and (d), below, shall be made available to a department inspector during a scheduled inspection.

(b) The owner shall maintain the records identified in (c), below, for not less than 3 years from the date of creation or receipt, as applicable, provided that if the owner has been notified of a pending inquiry into a suspected violation of requirements applicable to the facility, the owner shall retain the records until the later of:

- (1) The date the owner is notified by the department that no action will be taken;
  - (2) The date the owner is notified by the department that the action taken has been resolved;
  - (3) The date a final decision is issued in an appeal of any action taken by the department, including any appeal under RSA 541; or
  - (4) The date the last appeal period expires without an appeal being filed.
- (c) The following records shall be retained as established in (b), above:

- (1) Results of monthly exterior inspections required by Env-Or 306.07;

(2) Copies of all correspondence that relates to the facility from the department, the New Hampshire state fire marshal, or the local fire department;

(3) Records of the type of oil stored in each tank and the date of any conversion described in EnvOr 304.04(b)(5);

(4) Records of inventory monitoring required by Env-Or 306.03; and

(5) Any record required to be maintained by Env-Wm 1402.07(b) or Env-Wm 1402.34(c) that is still within the retention period specified therein.

(d) Subject to (e), below, the owner shall maintain the following records for the operating life of the facility:

(1) Dates and description of replacement of permanent components and substantial modification to AST systems;

(2) Results of all tightness tests performed on piping associated with the AST systems;

(3) A copy of the facility registration(s) and any amendments;

(4) Copies of all plans for the facility submitted and approved pursuant to Env-Wm 1402.17 or Env-Or 307.01 through Env-Or 307.05;

(5) Closure and other site assessment reports;

(6) Results of all insulated tank and insulated piping inspections and interior AST inspections required by Env-Or 306.08 and Env-Or 306.09;

(7) Results of all cathodic protection system testing at the facility required by Env-Or 306.11;

(8) Equipment maintenance schedules and logs, including frequency, procedure performed, and identification of who performed the maintenance;

(9) Repair records, including component repaired, method of repair, and identification of who performed the repair;

(10) Records of oil discharges; and

(11) Any record required to be maintained by Env-Wm 1402.07(b) or Env-Wm 1402.34(d) that is not subject to a 3-year retention period.

(e) Any owner who discarded records included in (d), above, prior to the 2013 effective date of this chapter based on a good-faith belief that on-going retention was not required shall not be deemed to be out of compliance with the record retention requirements established in (d), above, with respect to the discarded records.

### Env-Or 306 Operating, Testing, and Inspection Requirements

#### Env-Or 306.07 Exterior Inspections of AST Systems

(a) The owner of an AST facility shall conduct an exterior inspection as specified in (b), below, of each AST system at the facility not less than monthly for any unusual operating conditions, such as:

#### Env-Or 306.08 Inspection of Insulated Tanks and Insulated Piping

(a) The owner of an insulated tank or insulated piping shall engage a certified AST inspector to conduct an inspection for exterior corrosion of the tank or piping in accordance with the schedule specified in (b), below, and the procedures specified in (c), below.

(b) Inspections of insulated tanks and insulated piping shall be performed on the following schedule:

(1) An initial inspection shall be performed on or before February 7, 2017 or within 10 years of installation, whichever is later; and

(2) Following the initial inspection, an inspection shall be performed at least once every 10 calendar years.

(c) An inspection complying with (a), above, performed prior to February 7, 2014 shall qualify as the initial inspection required by (b)(1), above, provided that the owner maintains a 10-year inspection frequency as specified in (b)(2).

#### Env-Or 306.09 Interior Inspections of ASTs

**(a) The owner of an AST facility shall have a detailed inspection performed of the interior of each tank at the facility that has a capacity of 5,100 gallons or more in accordance with the schedule specified in (c), below**

(b) All detailed interior tank inspections shall be performed by a certified AST inspector.

(c) Detailed inspections of tank interiors shall be performed in accordance with the following schedule:

(1) For tanks where any part of the shell is in contact with the ground, the initial inspection for previously uninspected tank systems shall be performed when the tank is 10 years old;

(2) For tanks where the tank shell is entirely off the ground, such as tanks on racks or in cradles, the initial inspection for previously uninspected tank systems shall be performed when the tank is 20 years old; and

(3) Following the initial inspection, an inspection shall be performed at least every 5 years for tank systems containing gasoline, and at least once every 10 calendar years of the in-service life of the tank for tank systems containing other motor fuels, heating oils, and fuel oils.