



JOHN ENGLER, Governor

**DEPARTMENT OF ENVIRONMENTAL QUALITY**

*"Better Service for a Better Environment"*

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REPLY TO:

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**IM-10**

September 23, 1998

**TO:** Interested Parties

**FROM:** Amy S. Carter, Chief, Program Support Section

**SUBJECT:** Site Assessment at Closure or Change-In-Service After a Leaking Underground Storage Tank Closure

This informational memorandum provides guidance for conducting Underground Storage Tank (UST) system closure site assessments after the site has been closed under Part 213, Leaking Underground Storage Tank (LUST), of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended. This guidance is in accordance with the intent of Rule 53, Section 280.71 of the Michigan Underground Storage Tank Rules (MUSTR), 1990 AACS R 29.2153 et seq.

**Scenario 1**    **The UST system was empty, as defined in MUSTR, throughout the LUST investigation and site closure, and was not used again subsequent to the LUST closure.** If the UST system was included under the LUST closure, a tank closure site assessment is not required. The system can be closed using the 30-day notification form and a release should not be reported. Adequate documentation shall be provided verifying the system was empty.

**Scenario 2**    **The UST system was not included as part of the LUST closure (regardless if the UST system was used or not after the site closure).** This would be like any ordinary UST system closure. The area shall be assessed for contamination as required in Rule 55, Section 280.72(d) and (e) of MUSTR, and an *Underground Storage Tank Site Assessment Report* form (EQP3881) shall be submitted to the Storage Tank Unit (STU) of the Waste and Hazardous Materials Division (WHMD).

**Scenario 3**    **The UST system has been used subsequent to the LUST closure, (a tank closure assessment must be performed) and contamination is found above the target detection levels.** The owner/operator shall

report a **suspected** release. **(Important note: the *Release Report form (EQP3826)* must have a comment on it that the suspected release is based on the possibility of new contamination following a LUST site closure.)** An *Underground Storage Tank Site Assessment Report* form shall be submitted within 45 days of the date samples were taken to the STU for review to verify with the previously submitted *LUST Closure Report* that a new release has not occurred. The STU will consult with district LUST staff to make this verification. The requirement to upgrade or cancel a suspected release within 14 days will be waived in this instance only if the above comment is included on the *Release Report* form.

**Scenario 4**    **The UST system has been used subsequent to the LUST closure, (a tank closure assessment must be performed) and no contamination is found above the target detection levels.** An *Underground Storage Tank Site Assessment Report* form shall be completed and submitted to the STU for review.

There may be special circumstances where a sampling strategy may differ from the requirements in Rule 55, Section 280.72(d) and (e) of MUSTR. The sampling strategy shall be approved by the STU prior to implementation.

If you have any additional questions concerning this matter, please contact the STU, at 517-335-2690.