

**RULES OF THE
ENVIRONMENTAL PROTECTION
COMMISSION
OF HILLSBOROUGH COUNTY**

**CHAPTER 1-12
STORAGE TANK RULE**

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1-12.100 INTENT

(1) Pursuant to the Florida Legislature's determination in Section 376.30 F.S. that the storage, transportation and disposal of pollutants is a hazardous undertaking, that their discharge poses a great threat to the environment, and that the state interest in regulating their storage, transportation and disposal outweighs the burden imposed on such facilities, the Florida Department of Environmental Protection (DEP or Department) adopted Chapters 62-761 and 62-762, F.A.C. The Environmental Protection

Commission of Hillsborough County (Commission or EPC) intends to facilitate the delegation of Department's program regulating stationary tanks by adopting a rule incorporating appropriate sections of the Department's rules so as to establish a mechanism by which the Commission can effectively implement and enforce Department's regulations under its own authority, as well as by any delegated authority.

(2) It is the Commission's intent to assist in the State's effort to assure protection of surface and groundwater's in Hillsborough County by implementing the standards for construction, installation, maintenance, registration, removal and disposal of storage tank systems. It is not the Commission's intent at this time to implement regulations more stringent than those of Department.

(3) By incorporating by reference provisions of Department's rules, the Commission intends that any provision requiring notice, submissions, or demonstration to the Department be read to also require notice, copies of submissions or demonstration directly to the Commission's Executive Director and that any provision requiring approval or authorizing action of the Department shall be read to also require approval or authorize action of the Commission's Executive Director, unless otherwise specifically provided herein.

Section History – amended 11/15/07 and effective 11/16/07; amended 8/9/12 and effective 8/20/12.

1-12.150 INTERPRETATION

The Commission will apply the Department's interpretations of its regulations here adopted by reference where possible; however, any action or position taken by the Commission or its Executive Director in conflict with a Department interpretation or policy applying such regulations will not be invalidated unless the interpretation or policy was formally issued by the Department in writing prior to the Commission's or Executive Director's action.

Section History – amended and effective 10/15/98.

1-12.200 DEFINITIONS

The Commission adopts for purposes of this rule the definitions contained in Sections 62-761.200

and 62-762.201, F.A.C. The definitions adopted by the Legislature in Section 376.301 F.S. also apply, as well as the definitions contained in Chapter 84-446, Laws of Florida, as amended or recodified.

Section History – amended 4/20/2017 and effective 4/21/2017.

1-12.210 REFERENCE GUIDELINES

The provisions of Sections 62-761.210 and 762.211, F.A.C. are adopted by reference.

Section History – Adopted 4/20/2017 and effective 4/21/2017.

1-12.300 APPLICABILITY

The provisions of Sections 62-761.300 and 62-762.301, F.A.C. as subject to Chapter 62-761 and Chapter 62-762, F.A.C. are adopted by reference.

Section History – amended 4/20/2017 and effective 4/21/2017.

1-12.350 OPERATOR TRAINING AND CERTIFICATE

The provisions of Sections 62-761.350, F.A.C. are adopted by reference.

Section History – Adopted 4/20/2017 and effective 4/21/2017.

1-12.400 FACILITY REGISTRATION

The provisions of Sections 62-761.400 and 62-762.401, F.A.C. are adopted by reference.

Section History – amended 4/20/2017 and effective 4/21/2017.

1-12.405 NOTIFICATION

(1) The provisions of Sections 62-761.405 and 62-762.411, F.A.C. are adopted by reference.

(2) A copy of any building plans which include the installation or upgrade of storage tank systems shall be submitted to the Commission for review prior to submitting an application for a County or municipal building permit. An Application for the Installation or Upgrade of Pollutant Storage Tank Systems must be submitted to the Commission for review and approval prior to installation or upgrade. The copy of the building plans must be submitted with the application.

Section History – amended 4/20/2017 and effective 4/21/2017.

1-12.410 EPC INSTALLATION OR UPGRADE PLAN REVIEW FEE

Applicable application fees for an installation or upgrade plan review required under this rule shall be provided in Chapter 1-6, Rules of the Commission.

Section History – amended 4/20/2017 and effective 4/21/2017.

1-12.420 FINANCIAL RESPONSIBILITY

The provisions of Sections 62-761.420 and 762.421, F.A.C. are adopted by reference.

Section History – Adopted 4/20/2017 and effective 4/21/2017.

1-12.430 INCIDENTS

The provisions of Sections 62-761.430 and 762.431, F.A.C. are adopted by reference.

Section History – Adopted 4/20/2017 and effective 4/21/2017.

1-12.440 DISCHARGES

The provisions of Sections 62-761.440 and 762.441, F.A.C. are adopted by reference.

Section History – Adopted 4/20/2017 and effective 4/21/2017.

1-12.500 STORAGE TANK SYSTEMS REQUIREMENTS

The provisions of Sections 62-761.500, 62-762.501, and 62-762.502, F.A.C. are adopted by reference.

Section History – amended 4/20/2017 and effective 4/21/2017.

1-12.600 RELEASE DETECTION REQUIREMENTS

The provisions of Sections 62-761.600, 62-762.601, and 62-761.602, F.A.C. are adopted by reference.

Section History – amended 4/20/2017 and effective 4/21/2017.

1-12.700 REPAIRS, OPERATION, AND MAINTENANCE

The provisions of Sections 62-761.700 and 62-762.701, and 62-762.702, F.A.C. are adopted by reference.

Section History – amended 4/21/2017 and effective 4/21/2017.

1-12.710 RECORDKEEPING

The provisions of Sections 62-761.710 and 62-762.711, F.A.C. are adopted by reference.

Section History – amended 4/20/2017 and effective 4/21/2017.

1-12.800 OUT-OF-SERVICE AND CLOSURE REQUIREMENTS

The provisions of Sections 62-761.800, 62-762.801, and 62-762.802, F.A.C. are adopted by reference.

Section History – amended 4/20/2017 and effective 4/21/2017.

1-12.61.82 INCIDENT AND DISCHARGE RESPONSE

Section History – Repealed 4/20/2017

1-12.850 ALTERNATIVE PROCEDURES AND EQUIPMENT REGISTRATION AND REGISTRATION OF OPERATOR TRAINING PROVIDERS

The provisions of Sections 62-761.850 and 62-762.851, F.A.C. are adopted by reference, and although the Commission shall be given copies of any request when submitted to the Department, and shall review and comment to the Department, the decision whether to approve or deny will be the Department's.

Section History – amended 4/20/2017 and effective 4/21/2017.

1-12.891 MINERAL ACID STORAGE TANK REQUIREMENTS

The provisions of Sections 62-762.891, F.A.C. are adopted by reference.

Section History – Adopted 4/20/2017 and effective 4/21/2017.

1-12.900 STORAGE TANK FORMS

The provisions of Sections 62-761.900 and 762.901, F.A.C. are adopted by reference.

Section History – Adopted 4/20/2017 and effective 4/21/2017.

Rule History:

Adopted 4/04/91

Amended 6/16/92

Amended 10/15/98

Amended 11/15/07, Effective 11/16/07

Amended 8/9/12, Effective 8/20/12

Amended 4/20/2017, Effective 4/21/2017