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Florida Solid and Hazardous Waste Regulation Handbook: Underground Storage Tanks (UST)¹

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What Is an Underground Storage Tank (UST)?

An underground storage tank is any storage tank that has more than 10 percent of its volume below the surface of the ground. This 10 percent includes piping. USTs are very special and DEP has paid close attention to them, giving them their very own series of regulations. Title 62-761 was passed in 1990 and refers solely to USTs. This regulation also provides that certain types of tanks would be exempt from these regulations.

What Kinds of USTs Are Exempt from Regulation?

The exemptions include, among others:

- any storage tank system with an individual capacity of 110 gallons or less.
- any agricultural storage tank system with a capacity of 550 gallons or less.
- any storage tank system used for storing heating oil for consumptive use on the premises where stored.

- any septic tank.
- any surface impoundment, pit, pond, or lagoon.
- any stormwater or wastewater collection system.
- any residential storage tank system.

Because most farmers and ranchers will meet one or more of these exemptions, their USTs usually will not be subject to regulation under this particular rule. However, any discharges or leaks will still be regulated under the federal RCRA, the state's RRMA, and any other statute that may apply. If you do not fall within these exemptions, we recommend that you contact the regional DEP office in your area for more information on the regulation of USTs.

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This handbook is designed to provide an accurate, current, and authoritative summary of the principal Florida laws that directly or indirectly relate to agriculture. It should provide a basic overview of the many rights and responsibilities farmers and farmland owners have under Florida laws. The reader is provided information about these rights and responsibilities and the appropriate contacts for more detailed information. However, the reader should be aware that because the laws, administrative rulings, and court decisions on which this publication is based are subject to constant revision, portions of this publication could become outdated at any time. Many details of cited laws are also left out due to space limitations.

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