

The Florida Handbook of Solid and Hazardous Waste Regulation: Underground Storage Tanks¹

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What is an underground storage tank?

An underground storage tank is any storage tank that has more than ten percent of its volume below the surface of the ground. This ten percent includes piping. Underground storage tanks and underground storage tank systems are considered special hazards and are regulated by the Environmental Protection Agency (EPA) in conjunction with the Florida Department of Environmental Protection (FDEP). FDEP is the primary implementing agency of regulations concerning prevention and release detection and cleanup in the state of Florida. Chapter 62–761, Florida Administrative Code refers solely to underground storage tanks and underground storage tank systems, with only a few exemptions from regulation. Requirements are updated on a regular basis, so check with local or state governments frequently to ensure continued compliance in this area of changing laws and restrictions.

What underground storage tanks 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 less than 30,000 gallons of heating oil for consumptive use on the premises where stored
- any tank that contains asphalt or asphalt products not containing other regulated substances
- any storage tank system that contains small quantities of regulated substances, provided that the quantities are roughly the same as those in household products

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- storage tank systems used solely for temporary storage of mixtures of pesticides and diluters for reapplication as pesticides
- any surface impoundment, pit, pond, or lagoon
- any stormwater or wastewater collection system
- any residential storage tank system

Most farmers/ranchers will meet one or more of these exemptions, and their underground storage tanks will not be subject to regulation under this particular rule. Any discharges or leaks will still be regulated under the federal RCRA (Resource Conservation and Recovery Act), the state's RRMA (Resource Recovery and Management Act), and any other statute that may apply. If you do not fall within these exemptions, we recommend that you contact the regional FDEP office in your area for more information on the regulation of underground storage tanks ([FE786](#), Contact Agencies).