

**19-6-413 Tank tightness test -- Actions required after testing.**

- (1) The owner or operator of any petroleum storage tank registered before July 1, 1991, shall submit to the director the results of a tank tightness test conducted:
  - (a) on or after September 1, 1989, and before January 1, 1990, if the test meets requirements set by rule regarding tank tightness tests that were applicable during that period; or
  - (b) on or after January 1, 1990, and before July 1, 1991.
- (2) The owner or operator of any petroleum storage tank registered on or after July 1, 1991, shall submit to the director the results of a tank tightness test conducted within the six months before the tank was registered or within 60 days after the date the tank was registered.
- (3) If the tank test performed under Subsection (1) or (2) shows no release of petroleum, the owner or operator of the petroleum storage tank shall submit a letter to the director at the same time the owner or operator submits the test results, stating that under customary business inventory practices standards, the owner or operator is not aware of any release of petroleum from the tank.
- (4)
  - (a) If the tank test shows a release of petroleum from the petroleum storage tank, the owner or operator of the tank shall:
    - (i) correct the problem; and
    - (ii) submit evidence of the correction to the director.
  - (b) When the director receives evidence from an owner or operator of a petroleum storage tank that the problem with the tank has been corrected, the director shall:
    - (i) approve or disapprove the correction; and
    - (ii) notify the owner or operator that the correction has been approved or disapproved.
- (5) The director shall review the results of the tank tightness test to determine compliance with this part and any rules adopted under the authority of Section 19-6-403.
- (6) If the owner or operator of the tank is required by 40 C.F.R., Part 280, Subpart D, to perform release detection on the tank, the owner or operator shall submit the results of the tank tests in compliance with 40 C.F.R., Part 280, Subpart D.

Amended by Chapter 360, 2012 General Session