

August 2012

Overview of Wisconsin Storage Tank Regulations

Wisconsin Administrative Code Comm 10 regulates all aboveground storage tanks (ASTs) 110 gallon capacity and larger storing liquids that are classified as flammable, combustible and/or hazardous chemical (CERCLA). There is a very limited population of tanks that are excluded and no occupancies are exempt from this regulation. The scope of Comm 10 storage tanks includes heating fuel, motor fuel, used/waste oil and liquids used in manufacturing and processing operations. Portable tanks and tanks on wheels are also regulated under the SPS 310 code.

Because the technical and setback requirements of the storage tank regulations vary significantly with the occupancy, the class of product, and the size of the tank, this document is intended to present a condensed overview. The requirements for a system fueling highway vehicles are different than for a system fueling watercraft or aircraft. Requirements are different for a facility providing fueling to the public than for a facility that limits fueling to company owned (fleet) vehicles only.

All underground and aboveground storage tanks must be installed under the supervision of a Wisconsin Certified Installer or a Professional Engineer. A pre-installation plan approval by the department or designated agent is required. The exception is residential heating fuel aboveground tanks that are installed by a HVAC contractor.

Occupancy specific regulations:

- ◆ Aboveground tanks for motor fuels (vehicles, land use recreational equipment, lawn or garden equipment, etc.) are prohibited on residential property.
- ◆ Gravity feed aboveground tanks are limited to no larger than 1,100 gallon capacity for use on farms and construction projects only. A nursery or farm property that conduct retail sales to the public on the property move into a commercial use category.

Do-it-yourself tank installation

The code prohibits a complete "do-it-yourself" tank installation. This includes replacing existing tanks and piping. Most storage tank installations require special tools, test equipment, product compatible gaskets and compatible sealing material that people not in the storage tank equipment business will not have. Ethanol and bio blended fuels require material compatibility different than petroleum fuels. Several of the test procedures have life-safety risks that only trained and skilled individuals can perform safely.

All storage tanks must have a listing; such as UL or SwRI; or be constructed under and labeled as API 650 construction. The department does recognize a small population of non listed tanks for specific purposes, such as for storage of some Class IIIB liquids or CERCLA hazardous liquids.

The code does provide some measures to accommodate the installation of aboveground tanks less than 1,100 gallon capacity on farms via an expedited plan submittal and sign-off.

Installations found in operation without plan review and approvals are subject to double the fees.

Storage tank registration

All underground tanks and all but a small population of aboveground tanks 110 gallon capacity or larger must be registered with the department when initially installed. When a tank is removed it also must be registered as removed.

Internet links;

Storage Tank Home Page: <http://commerce.wi.gov/ER/ER-BST-HomePage.html>

Comm 10 Code: <http://www.legis.state.wi.us/rsb/code/comm/comm010.pdf>

Farm Tank Page: <http://commerce.wi.gov/ER/ER-BST-FarmPage.html>

Code Compendium: <http://dsps.wi.gov/er/pdf/bst/SPSCodes/ER-BST-SPS310CodeCompendium.pdf>

Forms: <http://dsps.wi.gov/er/ER-BST-FM-SPS310Forms.html>

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