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Massachusetts Underground Storage Tank Program - Transition Fact Sheet

Effective July 1, 2009, responsibility for administering the tank registration and compliance inspection provisions of the Massachusetts Underground Storage Tank Program (527 CMR 9.00) will be transferred from the Massachusetts Department of Fire Services (DFS) to the Department of Environmental Protection (MassDEP). In addition, the Department of Environmental Protection will assume responsibility for the Commonwealth's inventory of underground storage tanks (established by 527 CMR 5.06).

These provisions were designed to prevent groundwater pollution from leaking underground storage tanks and to meet federal requirements established in Subtitle I of the U.S. Solid Waste Disposal Act, as amended by the U.S. Energy Policy Act of 2005. The transfer of responsibility for this program from DFS to Mass DEP was authorized by the Massachusetts Legislature in Chapter 4 of the Acts of 2009.

What Immediate Changes Should UST Owners/Operators be Aware of when MassDEP Takes Over on July 1, 2009?

Certain forms will be sent to MassDEP instead of DFS.

DFS has published several forms that owners and inspectors of underground storage tanks must use to report information about their tanks to the Commonwealth. All of these forms (in the table below) will continue to be used after July 1, 2009. However, the forms in bold in the table below should be submitted to MassDEP on and after July 1, 2009.

Form	Title	Submit To
DFS Form FP-1	Notice of Change of Information (not for use with the UST Program)	DFS
DFS Form FP-2	Application For License	Local Fire Dept
DFS Form FP-2A	Application For License	Local Fire Dept
DFS Form FP-5	Certificate of Registration	Municipal Clerk
DFS Form FP-6	Application for Permit (to install USTs)	Local Fire Dept
DFS Form FP-289	Third Party UST Inspection Form	MassDEP
DFS Form FP-290 Parts 1&2	Notification for USTs Regulated Under 527 CMR 9.00	MassDEP
DFS Form FP-290 Part 3	Application for Permit	Copy MassDEP
DFS Form FP-290R	Notification for Removal or Closure of In-Place USTs Regulated Under 527 CMR 9.00	MassDEP
DFS Form FP-292	Application for Permit for Storage Tank Removal and Transportation to Approved Storage Yard	Local Fire Dept
DFS Form FP-293	Application for Permit for a Marina	Local Fire Dept

This information is available in alternate format. Call Donald M. Gomes, ADA Coordinator at 617-556-1057. TDD# 1-866-539-7622 or 1-617-574-6868.

MassDEP on the World Wide Web: <http://www.mass.gov/dep>

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Other program requirements will remain largely unchanged after July 1, 2009:

- Underground storage tanks do not need to be re-registered with MassDEP if they have been registered with DFS.
- The schedule for submittal of annual Third Party UST Inspection Forms remains unchanged. The first round of third party inspections must be completed by August 8, 2010.
- New tank installations or removals must obtain the required permits and approvals from the local Fire Department.
- Requirements for decommissioning a tank will also remain unchanged, with the exception that a "Notification for Removal or Closure of In-Place USTs Regulated Under 527 CMR 9.00" (DFS Form FP-290R) will need to be mailed to MassDEP rather than DFS.
- Leaking tanks should continue to be reported to the local Fire Department and MassDEP's Bureau of Waste Site Cleanup in accordance with the Massachusetts Contingency Plan (310 CMR 40.0000) (see below for telephone numbers for reporting leaking tanks to MassDEP).

Where to Mail Forms:

Contact the local fire department for the town or city in which the UST is/will be installed to obtain the mailing address for forms that must be submitted to the local Fire Department.

Forms to be submitted to MassDEP should be sent to the following address:

Department of Environmental Protection
Bureau of Waste Prevention - UST Program
P.O. Box 120-0165
Boston, MA 02112-0165

For More Information:

Questions for MassDEP: information, technical support and applicable forms for the MassDEP UST program are available online: www.mass.gov/dep/toxics/ust. After July 1, 2009, this web site will host the Massachusetts inventory of underground storage tanks that have been registered with the Commonwealth (and the query application), as well as the list of companies that employ state-approved Third Party Underground Storage Tank Inspectors, and training opportunities for tank owners, operators and third party inspectors.

- If you would like to speak to a member of the MassDEP UST Program staff, please call: (617) 556-1035 ext. #2.
- To report a release from a *leaking* underground storage tank, please call your local fire department **AND** the MassDEP 24-hour Emergency Response Line at **1-888-304-1133**.

Questions for DFS: Public information, technical support and applicable forms for the DFS are available online:

<http://www.mass.gov/?pageID=eopssubtopic&L=7&L0=Home&L1=Public+Safety+Agencies&L2=Massachusetts+Department+of+Fire+Services&L3=Department+of+Fire+Services&L4=Office+of+the+State+Fire+Marshal&L5=Fire+Prevention&L6=Underground+Storage+Tank+Program&sid=Eeops>

- If you would like to speak with a member of the staff at DFS, please call: (978) 567-3100.