### PART III FUEL STORAGE

### **ARTICLE 1 - Control of Underground Fuel and Chemical Storage Systems**

Acting under the authority of Massachusetts General Laws Chapter 111, Section 31, the Provincetown Board of Health hereby adopts the following regulations, effective immediately, to protect the ground and surface waters from contamination with liquid fuel or toxic materials from leaking storage tanks and systems:

All underground fuel and chemical storage tanks, residential and commercial, must be installed and maintained in full compliance with the provisions of 527 CMR 9.00 of the Board of Fire Prevention Regulation.

All underground fuel and chemical storage tanks, residential and commercial, must be removed within twenty (20) years of installation.

All underground fuel and chemical storage tanks, residential and commercial, whose date of installation cannot be reasonably determined, must be removed.

## Section 1 – The following regulations apply to all commercial underground fuel and chemical storage systems:

- **A.** Any spill or loss of fuel or chemicals must be reported to the Board of Health and Fire Department within two hours of detection.
- **B.** All leaking tanks must be emptied within 24 hours of leak detection and must be removed within 14 days.
- **C.** All tank installations within four feet of high water or within 100 feet of a surface water body shall be of fiberglass construction.
- **D.** All commercial underground tank installations made after the effective date of these regulations shall be located at least 1000 feet from the nearest potable water supply installation.
- **E.** Fuel service companies shall report to tank owners, the Board of Health and the Fire Department any unaccounted for, significant increase in apparent fuel usage that may indicate a leak.

# Section 2 – The following regulations, in addition to those set forth under Section 1 above, shall apply to all commercial underground storage systems with capacities of 500 gallons or greater:

- A. Owners shall file with the Board of Health and the Fire Department the size, type, age and location of each tank and a scaled plot plan with locations of tanks and related piping and pumping systems and the type of fuel or other substance stored. Evidence of date of purchase and installation, including a Fire Department permit, shall be included.
- **B.** All steel tanks shall be subject to the following tests, not less than 15 years after installation and annually thereafter: a Kant-Moore pressure test, or any other

- testing system providing equivalent safety and effectiveness. Certification of testing shall be submitted to the Board of Health and the Fire Department.
- C. Owners shall submit to the Board of Health and the Fire Department a semiannual statement, certifying that inventory records have been maintained and reconciled as required by Massachusetts Fire Prevention Regulations.
- D. All tanks shall be properly installed as per Massachusetts Fire Prevention Regulations and manufacturers' specifications, under the direction of the head of the Fire Department. Tanks shall be of approved design and protected from internal and external corrosion. All fiberglass construction, steel with bonded fiberglass or enamel coating and internal lining, and the Steel Tank Institute 3-Way Protection System. Any other system must be shown to provide equivalent protection.
- **E.** All commercial underground tanks installed after the effective date of these regulations shall include a tank shield system approved by the head of the Fire Department.

#### Section 3 - Variances

- **A.** Variances from these regulations may be granted jointly by the Board of Health and the Fire Department, after a hearing at which the application establishes that the installation of a proposed underground storage tank will not adversely affect public or private water sources.
- **B.** In granting variances, the Board will take into consideration factors such as, but not limited to, the direction of the groundwater flow, soil conditions, depth to groundwater, size, shape and slope of the lot, existing and known future water supplies.