

IC 13-23-5

Chapter 5. Installation of Underground Storage Tanks

IC 13-23-5-1

Restrictions on timing of tank installations; tanks for alcohol blended fuels

Sec. 1. (a) Subject to section 2 of this chapter, and except as provided in subsection (b), an underground storage tank, whether of single or double wall construction, may not be installed before the effective date of the rules adopted under IC 13-23-1-2 for the purpose of storing regulated substances unless:

- (1) the tank will prevent releases due to corrosion or structural failure for the operational life of the tank;
- (2) the tank is:
 - (A) cathodically protected against corrosion;
 - (B) constructed of noncorrosive material;
 - (C) steel clad with a noncorrosive material; or
 - (D) designed to prevent the release or threatened release of any stored substance;
- (3) the material used in the construction or lining of the tank is compatible with the substance to be stored; and
- (4) after July 1, 2007, all newly installed or replaced piping connected to the tank meets the secondary containment requirements adopted by the board.

(b) An underground storage tank system that contains alcohol blended fuels composed of greater than fifteen percent (15%) alcohol is a petroleum UST system (as defined in 329 IAC 9-1-36 as in effect January 1, 2007) and may be installed during the period referred to in subsection (a) if the system is otherwise in compliance with rules adopted by the board concerning technical and safety requirements relating to the physical characteristics of underground petroleum storage tanks and ancillary equipment, including dispensing equipment, used in the storing or dispensing of alcohol blended fuels for purposes of all other provisions of this article.

(c) Owners and operators of underground storage tank systems that store, carry, or dispense alcohol blended fuels composed of greater than fifteen percent (15%) alcohol that comply with subsection (b) are considered to meet the standards of:

- (1) compatibility under subsection (a)(3); and
- (2) compliance for purposes of all other provisions of this article.

As added by P.L.1-1996, SEC.13. Amended by P.L.75-2007, SEC.1; P.L.221-2007, SEC.13; P.L.96-2016, SEC.11.

IC 13-23-5-2

Restrictions based on soil resistivity

Sec. 2. If soil tests conducted in accordance with:

- (1) ASTM Standard G57-78; or

- (2) another standard approved by the commissioner as exhibiting the same or a greater degree of reliability and accuracy;

show that soil resistivity in an installation location is at least twelve thousand ohms per centimeter (12,000 ohm/cm), a storage tank without corrosion protection may be installed in that location during the period referred to in section 1 of this chapter.

As added by P.L.1-1996, SEC.13.

IC 13-23-5-3

Compliance of underground storage tank systems with certain laws

Sec. 3. (a) An underground storage tank system that contains fuel composed of greater than fifteen percent (15%) alcohol is considered to comply with section 1(b) of this chapter if either of the following applies:

- (1) The system predates May 11, 2007.
- (2) The system predates the adoption by:
 - (A) the solid waste management board (established by IC 13-19-2, before its repeal); or
 - (B) the environmental rules board;after May 11, 2007, of any additional rules concerning technical and safety requirements for storing and dispensing alcohol blended fuel.

(b) Replacement tanks or ancillary equipment installed in existing underground storage tank systems storing or dispensing alcohol blended fuels must meet the standards contained in additional rules as described in subsection (a)(2) that were adopted by the solid waste management board before January 1, 2013, or are adopted by the environmental rules board only if the installation occurs after the adoption of those rules.

As added by P.L.16-2009, SEC.21. Amended by P.L.113-2014, SEC.77.