RULES OF THE
ENVIRONMENTAL PROTECTION
COMMISSION
OF HILLSBOROUGH COUNTY

CHAPTER 1-12
STORAGE TANK RULE

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1-12.100 INTENT
(1) Pursuant to the Florida Legislature's determination in Section 376.30 F.S. that the storage, transportation and disposal of pollutants is a hazardous undertaking, that their discharge poses a great threat to the environment, and that the state interest in regulating their storage, transportation and disposal outweighs the burden imposed on such facilities, the Florida Department of Environmental Protection (DEP or Department) adopted Chapters 62-761 and 62-762, F.A.C. The Environmental Protection Commission of Hillsborough County (Commission or EPC) intends to facilitate the delegation of Department’s program regulating stationary tanks by adopting a rule incorporating appropriate sections of the Department’s rules so as to establish a mechanism by which the Commission can effectively implement and enforce Department’s regulations under its own authority, as well as by any delegated authority.
(2) It is the Commission's intent to assist in the State's effort to assure protection of surface and groundwater’s in Hillsborough County by implementing the standards for construction, installation, maintenance, registration, removal and disposal of storage tank systems. It is not the Commission's intent at this time to implement regulations more stringent than those of Department.
(3) By incorporating by reference provisions of Department’s rules, the Commission intends that any provision requiring notice, submissions, or demonstration to the Department be read to also require notice, copies of submissions or demonstration directly to the Commission's Executive Director and that any provision requiring approval or authorizing action of the Department shall be read to also require approval or authorize action of the Commission's Executive Director, unless otherwise specifically provided herein.

Section History – amended 11/15/07 and effective 11/16/07; amended 8/9/12 and effective 8/20/12.

1-12.150 INTERPRETATION
The Commission will apply the Department's interpretations of its regulations here adopted by reference where possible; however, any action or position taken by the Commission or its Executive Director in conflict with a Department interpretation or policy applying such regulations will not be invalidated unless the interpretation or policy was formally issued by the Department in writing prior to the Commission's or Executive Director's action.

Section History – amended and effective 10/15/98.

1-12.200 DEFINITIONS
The Commission adopts for purposes of this rule the definitions contained in Sections 62-761.200
and 62-762.201, F.A.C. The definitions adopted by the Legislature in Section 376.301 F.S. also apply, as well as the definitions contained in Chapter 84-446, Laws of Florida, as amended or recodified.


1-12.210 REFERENCE GUIDELINES
The provisions of Sections 62-761.210 and 762.211, F.A.C. are adopted by reference.
Section History – Adopted 4/20/2017 and effective 4/21/2017.

1-12.300 APPLICABILITY

1-12.350 OPERATOR TRAINING AND CERTIFICATE
Section History – Adopted 4/20/2017 and effective 4/21/2017.

1-12.400 FACILITY REGISTRATION
The provisions of Sections 62-761.400 and 62-762.401, F.A.C. are adopted by reference.

1-12.405 NOTIFICATION
(2) A copy of any building plans which include the installation or upgrade of storage tank systems shall be submitted to the Commission for review prior to submitting an application for a County or municipal building permit. An Application for the Installation or Upgrade of Pollutant Storage Tank Systems must be submitted to the Commission for review and approval prior to installation or upgrade. The copy of the building plans must be submitted with the application.


1-12.410 EPC INSTALLATION OR UPGRADE PLAN REVIEW FEE
Applicable application fees for an installation or upgrade plan review required under this rule shall be provided in Chapter 1-6, Rules of the Commission.

1-12.420 FINANCIAL RESPONSIBILITY
The provisions of Sections 62-761.420 and 762.421, F.A.C. are adopted by reference.
Section History – Adopted 4/20/2017 and effective 4/21/2017.

1-12.430 INCIDENTS
The provisions of Sections 62-761.430 and 762.431, F.A.C. are adopted by reference.
Section History – Adopted 4/20/2017 and effective 4/21/2017.

1-12.440 DISCHARGES
The provisions of Sections 62-761.440 and 762.441, F.A.C. are adopted by reference.
Section History – Adopted 4/20/2017 and effective 4/21/2017.

1-12.500 STORAGE TANK SYSTEMS REQUIREMENTS

1-12.600 RELEASE DETECTION REQUIREMENTS
1-12.700 REPAIRS, OPERATION, AND MAINTENANCE

1-12.710 RECORDKEEPING

1-12.800 OUT-OF-SERVICE AND CLOSURE REQUIREMENTS

1-12.81.82 INCIDENT AND DISCHARGE RESPONSE
Section History – Repealed 4/20/2017

1-12.850 ALTERNATIVE PROCEDURES AND EQUIPMENT REGISTRATION AND REGISTRATION OF OPERATOR TRAINING PROVIDERS
The provisions of Sections 62-761.850 and 62-762.851, F.A.C. are adopted by reference, and although the Commission shall be given copies of any request when submitted to the Department, and shall review and comment to the Department, the decision whether to approve or deny will be the Department’s.

1-12.891 MINERAL ACID STORAGE TANK REQUIREMENTS
The provisions of Sections 62-762.891, F.A.C. are adopted by reference.
Section History – Adopted 4/20/2017 and effective 4/21/2017.

1-12.900 STORAGE TANK FORMS
The provisions of Sections 62-761.900 and 762.901, F.A.C. are adopted by reference.
Section History – Adopted 4/20/2017 and effective 4/21/2017.

Rule History:
Adopted 4/04/91
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