

# PIPELINE BULLETIN BOARD

## COMPLIANCE: FEE ASSESSMENT REMINDER

Some owners have taken their tanks out of service improperly or have failed to obtain an extension to temporary closure from [BUSTR](#). Therefore, these owners are out of compliance with Ohio Administrative Code [\(OAC\) 1301:9-7-12](#), BUSTR's closure rule.

Pursuant to Ohio Revised Code 3737.91(D) and Ohio Administrative Code [3737-1-04\(E\)](#), to obtain a valid Certificate of Coverage a tank owner must be in compliance with the State Fire Marshal's underground storage tank regulations. Owners who did not properly close their UST systems are denied a Certificate of Coverage and therefore will not be eligible to make a claim against the Fund for the costs of corrective action.

Effective September 18, 1999 the Board amended administrative rules that require annual tank fee payments for USTs that are not excluded by statute from the Fund and are out of compliance with UST regulations. Pursuant to [OAC 3737-1-04\(E\)](#), as long as the USTs remain in the ground, whether they are in compliance or not, annual fees will be assessed for them but no Certificate of Coverage will be issued.

### CLAIMS: ELECTION OF NEW BUSTR RULE REMINDER

If a release was discovered prior to March 31, 1999, a responsible person may conduct corrective actions under BUSTR's rule in effect at that time or may elect to conduct corrective actions under the new BUSTR rule that took effect on March 31, 1999. If a responsible person elects to move to the new rule, the responsible person must:

- Notify the Board in writing within thirty days of such election;
- For incomplete program tasks at the time of such election, submit all costs incurred within one year from the date the notification is required to be submitted to the Board;
- For all complete program tasks at the time of such election, submit all costs within one year of their completion date pursuant to Board rules.

**Reimbursement of costs for the performance of a Tier 1 Evaluation is dependent upon your election to switch to the BUSTR corrective action rule effective March 31, 1999. Owners who do not move to the new rule will not be reimbursed for the costs of these activities**

If you have any questions regarding any of the information in this edition of the UST Pipeline, please contact the Petroleum UST Board at (800) 224-4659 (in Ohio only) or (614) 752-8963