

Date

Facility Owner  
Company  
Address  
City, State, Zip

Subject: Tank Upgrade  
Facility Name  
Address  
City, County  
DEP FACID#:

Dear Facility Owner:

The Department's records indicate that you own and/or operate a petroleum storage tank system(s) that may not be compliant with the upgrade deadline. The deadline for upgrading single-walled underground storage tanks (UST) and piping with double-wall containment systems is **December 31, 2009**.

All underground tanks that have not been upgraded to meet the performance standards of Rule 62-761.510, Florida Administrative Code, by the applicable deadlines shall be permanently closed before the deadline.

As an alternative, any underground tank system that has not been upgraded by the applicable deadline may also be taken out-of-service **prior to the deadline date**. Underground storage tank systems that are single-walled, corrosion protected systems may not be kept out of service longer than two years and single-walled, unprotected bare steel systems may only be kept out of service for up to one year. At the end of these time periods, the tank system must be upgraded or permanently closed.

If, at any point during the out-of-service period, the above requirements are not met, the Department will consider the tank system out of compliance with Department rules and require the tanks be immediately and permanently closed.

The Department will continue to enforce these rules to protect Florida's surface and ground water resources. Those facilities that fail to timely meet the applicable deadlines for the required upgrade and continue to operate will face Department enforcement action. The Department may pursue penalties and request injunctive relief requiring that the tanks be immediately and permanently closed. The Department will not initiate enforcement of the deadline at facilities where owners who have secured a binding contract, prior to the deadline, with a Florida Licensed Pollutant Storage System Specialty Contactor if all work to complete the required upgrade under such a contract shall be completed by March 31, 2010.

If you have any questions concerning this matter please contact William Burns at 850-245-8842.

Sincerely,

Michael E. Ashe, Chief  
Bureau of Petroleum Storage Systems