



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

March 3, 2020

RE: South Dakota's Free Abandoned Underground Tank Removal Program

The State of South Dakota has entered the 19th year of our free voluntary abandoned tank removal program and has removed abandoned underground petroleum tanks at approximately 3,500 sites. Under the program South Dakota Department of Environment and Natural Resources will remove tanks that qualify and perform environmental cleanup actions we deem necessary to protect human health at no cost to the owner.

The state wants to remove every abandoned underground storage tank that was used to store a petroleum product. Examples of petroleum products are gasoline, diesel, fuel oil, aviation fuel, waste oil, etc. In many of these situations, petroleum products may still be in the tanks or may have leaked into the ground. This spillage can cause our ground water to become polluted and may be a risk to people in the area. The state will not remove petroleum tanks that may be inaccessible, such as beneath a building. The free tank removals do not apply to tanks that were in retail service on or after April 1, 1988. Non-petroleum tanks such as propane tanks, cisterns, and septic tanks are not eligible under this program.

We wanted your county to know about this ongoing program. Enclosed with the tank removal application form is a summary fact sheet. The sheet lists the steps tank owners need to take to get tanks removed. Any help you can give us in getting the word out about it would be appreciated. Please forward information to anyone within your county and office who would benefit from the program and give copies of the forms to anyone you know who may have abandoned tanks on their property.

For more information, please contact Justin Allen with DENR at 605.773.3296 with any questions about this free program. You may also contact us by fax (605.773.6048), e-mail (DENRINTERNET@state.sd.us), or visit our website (<http://denr.sd.gov/TankYank>). Thank you for your help.

Sincerely,

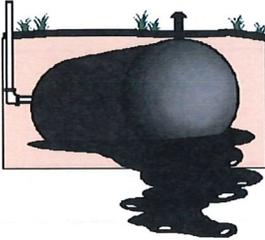
A handwritten signature in black ink, appearing to be 'JA', written over a light blue horizontal line.

Justin Allen
Natural Resources Project Engineer
Ground Water Quality Program
605-773-3296



Abandoned Tank Removal Program

Why should I consider getting my tank removed?



Tanks should be removed for two reasons. First, as tanks corrode, any petroleum that may still be in them will leak into our state's ground water. One gallon of gasoline has the potential to render one million gallons of water undrinkable. Leaks from tanks can also contaminate soil around the tanks and cause unhealthy gasoline vapors to seep into basements of private homes and businesses. Since these tanks are buried under several feet of soil, these problems can go unnoticed for years.

Second, the longer these old tanks remain in the ground, the more corroded they become. As the tanks become more corroded, there is an increased risk of the tank collapsing, and someone, or something, falling into the hole or tank.

What tanks will the state remove?

The state wants to remove every out-of-service underground storage tank that was used to store a petroleum product. Examples of petroleum products are gasoline, diesel, fuel oil, aviation fuel, waste oil, etc. The state will not remove petroleum tanks that may be inaccessible, such as beneath a building. The free tank removals do not apply to tanks that were in service for the sale of petroleum fuels on or after April 1, 1988. Also, non-petroleum tanks such as propane tanks, cisterns, and septic tanks are not eligible under this program.

How are the tanks removed?

All you need to do is give the state permission to dig up your tanks and do any necessary cleanup. After you give your permission, the Department of Environment and Natural Resources (DENR) will hire private contractors to remove any remaining product from the tank, remove the tank, and test the soil. The contractor will also remove piping and contaminated backfill around the tank. The contractor then fills the hole. The state pays for all the costs associated with removing the tanks from your property and any additional cleanup that is needed. However, the state does not pay to have the site resurfaced with new pavement, concrete, gravel, or grass.

What does the program cost me?

The best news associated with this program is that with the exception of resurfacing costs, it is free to the landowner! This is an opportunity that you cannot pass up if you own property with eligible underground storage tanks that are no longer in service.

The program is funded by DENR's Petroleum Release Compensation Fund (PRCF). This is a fund created in part to address environmental problems associated with spills from tanks. The money comes from a tank inspection fee imposed on wholesale distributors of petroleum fuels.

Is there a lien placed on my property by the state?

The answer is NO! When the program was first approved by the 2000 Legislature, the state was required to place a lien on the property for five years. However, a bill was introduced during the 2001 legislative session to eliminate the lien. The bill was approved by the legislature and, because of an emergency clause on the bill, went into effect immediately after it was signed.

How do I give my permission to have my tanks removed?

All you need to do is fill out the Tank Removal Form on the reverse of this sheet and return it to the address at the top of the form.

If I have questions, how can I get more information?

- Visit <http://denr.sd.gov/TankYank>
- Call the Abandoned Tank Removal Program at (605) 773-3296;
- E-mail at DENRINTERNET@state.sd.us; or
- Write to: Abandoned Tank Removal Program, Department of Environment and Natural Resources, 523 E. Capitol Avenue, Pierre, SD 57501



**Get Your Abandoned Underground Petroleum
Tanks Removed for **FREE!!****

TANK REMOVAL FORM



Return To:
Petroleum Release Compensation Fund
Department of Environment & Natural Resources
Joe Foss Building
523 E. Capitol Ave. Pierre, SD 57501

Email: denrinternet@state.sd.us
Phone: 605-773-3769
Fax: 605-773-6048

Name of owner or person having legal custody of the property: _____

Mailing Address (Street/City/Zip): _____

Phone # _____

Cell or Evening # _____

Site Information:

Name or former name of business where tanks are located: _____

Site Address (Street/City/Zip): _____

Nearest Cross Street to the Site: _____ County: _____

Were any of the tanks at this facility used for the sale of petroleum fuels on or after April 1, 1988? Yes No

Type(s) of surfacing overlying tanks? Select all that apply: Concrete Asphalt Gravel Grass/Dirt

Number of pump islands: _____ Other Surfacing _____

Please fill out the following table to the best of your knowledge for the tanks at this location:

| | Capacity (Gallons) | Used for storing what Substances? | Current contents & amount | Date last used |
|---|-----------------------|-----------------------------------|---------------------------|----------------|
| 1 | | | | |
| 2 | | | | |
| 3 | | | | |
| 4 | | | | |
| 5 | | | | |

I hereby give the state permission to remove my abandoned underground storage tank(s) and I certify and agree to the following terms:

1. I certify I am the owner or person having legal custody of an abandoned site and the taxes are current at the location described above;
2. I waive all claims against the state, its officers, agents, and employees for damages resulting directly or indirectly from the tank pulling or corrective action;
3. I agree to transfer ownership of the tanks and their contents to the state upon removal;
4. I understand the state will fill the excavations back to grade after removal, but will not replace or provide any resurfacing;
5. I, the owner or person having legal custody of the property described on this form, consent to officers, agents, employees, and authorized representatives of the state of South Dakota entering and having continued access to the property for the following purposes:
 - Removal of abandoned underground storage tanks and petroleum contaminated soil;
 - Taking of such soil, water, and air samples as necessary; and
 - Other actions related to the investigation, assessment, and corrective action of surface or subsurface contamination.

 Printed Name of Owner or Legal Custodian

 Signature

 Date