

3. If the material in the tank is a hazardous material, you should determine your disposal options by referring to the hazardous waste regulations to determine if it is a listed waste or characteristic waste. Testing for hazardous characteristics may include ignitability, corrosivity, reactivity, and toxicity.

#### UNDERGROUND

#### STORAGE TANK SECTION

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**T**he Montana Department of Environmental Quality (DEQ) Hazardous Waste Program is providing this document in cooperation with UST to give you guidance about managing and disposing of oil and gas related wastes, such as used oil, gasoline, diesel and fuel oil, from petroleum underground storage tanks. It gives direction to tank owners, operators and responsible parties for determining whether or not wastes from the contents inside USTs are regulated hazardous wastes. Hazardous waste is a solid waste that will be discarded and presents a hazard to human health or the environment because of its chemical composition or characteristics.



## Guidance for Disposal of Wastes Associated with Underground Storage Tanks



### Underground Storage Tank Section

This document is intended as general guidance for owners, operators and responsible parties with direction for determining if waste generated from the contents remaining in underground storage tanks (USTs) are regulated hazardous wastes. This document provides guidance only and is not meant to modify or replace the promulgated regulations, which undergo periodic revisions. In the event of a conflict between this guidance and promulgated regulations, the regulations govern. This guidance may not cover all situations and may be revised as needed

**DEQ**  
Montana Department  
of Environmental Quality

# Guidance for Disposal of Wastes Associated with Underground Storage Tanks

## This guidance does not apply to:

1. Empty tanks with less than 1" of residue.
2. Very small quantity generators. These are generators that produce less than 220 pounds of non-acute hazardous waste per month (see 40 CFR 261.5(a)). This waste is exempt from hazardous waste rules.

## Tank Waste Management

Various wastes are generated during tank removal. Tank owners, operators or responsible parties are responsible for managing and disposing of waste according to all applicable regulations.

If the tank isn't considered empty (< 1" residue) and the contents being discarded have hazardous waste characteristics or are listed in 40 CFR Part 261\*, they may be classified as a regulated hazardous waste. If you test the waste and it meets the criteria of a characteristic hazardous waste, it must be stored, handled, and disposed in accordance with Montana hazardous waste rules.

\* As incorporated by reference in ARM 17.53.501



## Types of waste generated from tank closures are:

1. Oil and gas related wastes from petroleum underground storage tanks that are not empty.
  - a) If the material in the tank is reclaimed or used as a product, it is not considered a waste.
  - b) If the material in the tank is unusable product, sludge, sediment, tank bottoms or wastewater, you may apply operator knowledge or test for the hazardous waste characteristics by using *Table 1* to determine if the waste is a hazardous waste. If it is a hazardous waste, it must be stored, managed, transported and disposed as a regulated hazardous waste.

Table 1 - Test Parameters

Usable Product	Used Oil	Regulatory Limit
Benzene*	Benzene*	0.5 mg/l
Lead*	Lead*	5.0 mg/l
	Chromium**	5.0 mg/l
Ignitability**	Ignitability**	140 Degrees
	TOX (for Total Organic Halogens)***	1000 mg/l

\* Must prepare sample using Toxicity Characteristic Leaching Procedures (TCLP).

\*\* Ignitability for hazardous wastes is determined by a Flashpoint of 140 degrees or less for free liquids.

\*\*\* Rebuttable presumption for used oil.



2. Contaminated media: There is an exclusion that can be applied to contaminated media generated during an UST closure. This media consists of soil, groundwater, and debris outside and around the tank and may be excluded from the definition of a hazardous waste, even if the waste has some of the hazardous waste toxicity characteristics listed in 40 CFR 261.24. Petroleum-contaminated media that exhibit the toxicity characteristic for hazardous waste codes D018 - D043 are excluded from hazardous waste regulations. Contaminated media with hazardous waste toxicity codes other than D018 - D043 are NOT excluded and are subject to hazardous waste regulations. Finally, this exclusion does not apply to contents inside the tank (i.e. sand, other inert material, etc.).