



Temporarily Out-of-Service: Underground Storage Tanks

BUREAU OF WEIGHTS AND MEASURES

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RESOURCES

Wis. Admin. Code ATCP 93
http://docs.legis.wisconsin.gov/code/admin_code/atcp/090/93

Storage Tanks Website
https://datcp.wi.gov/Pages/Programs_Services/PetroleumHazStorageTanks.aspx

Wisconsin Administrative Code ATCP 93 defines “Temporarily out of service” or “TOS” as a storage tank system that is not in use meets the requirements of s. ATCP [93.445\(1\)](#) or [93.545\(1\)](#) and is intended to be placed back into use within 24 months. TOS does not apply to stationary tanks that are of seasonal use, such as heating fuel storage tanks.

ATCP 93.140(2)(d)1 requires tank system owners to register changes, including moving a tank system into and out of temporarily out of service status, within 15 days of the change using form TR-WM-137 which can be found on our website here: <https://datcp.wi.gov/Documents/TR-WM-137.pdf>

When a storage tank system is placed temporarily out of service, the owner or operator must comply with all of the following:

- Notify the department of the registration change in accordance with s. ATCP 93.140 (2)(d)
- Permits to operate must be maintained in accordance with s. ATCP 93.145
- Maintain financial responsibility in accordance with ATCP 93 subchapter VII
- Operation and maintenance of corrosion protection shall be continued.
- The tank, piping, dispensing equipment, lines, pumps, manways, and other ancillary equipment shall be secured to prevent tampering
- All vent lines shall be left open and functioning.
- All inspections, maintenance, and periodic testing shall be performed as if the tank were still in service.
- Requirements for tanks with product:
 - Product must be removed from tanks if they have been in TOS status for twelve months.
 - Product must be tested and meet ASTM standards prior to bringing the tank back into service.
 - Leak detection shall be maintained in accordance with ATCP 93
- Requirements for tanks without product:
 - The tank system is empty when all liquid has been removed from the tank and the associated piping so that no more than 1 inch of residue, remains in the system.
 - The tank shall be protected against flotation caused by flooding or soil saturation.
- Single-walled tanks or piping installed more than 30 years ago shall be placed back into service within one year or be permanently closed per ATCP 93.560.

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Before placing a tank back into service:

- A precision tightness test must be performed on the tank and piping in accordance with [ATCP 93.515 \(4\)](#).
- Immediately have the leak detection system verified in accordance with [ATCP 93.510 \(2\)](#).
- Tank systems out of service for more than 365 days must:
 - Have a pressure test of the ullage portion to assure that tank connections are tight.
 - Fully comply with ATCP 93, except double-wall construction is not required for tank systems installed before February 1, 2009.
- Have all the respective components documented as functional on form TR-WM-139 (formerly ERS-10778) which can be found on our website here: <https://datcp.wi.gov/Documents/TR-WM-139.pdf>
- Notify the department of the registration change in accordance with s. [ATCP 93.140 \(2\) \(d\)](#).
- Product stored in tank during the TOS period shall be tested and meet ch. [ATCP 94](#) standards prior to being sold.

Please note: Tank systems that are placed out of service which do not comply with all requirements of ATCP 93.545 must be permanently closed in accordance with ATCP 93.560 within 60 calendar days.

Important Deadlines for Single Wall Tanks or Piping Over 30 Years Old

- Tanks or piping that were registered in TOS status on November 1, 2019, were required to be placed back into service or permanently closed by November 1, 2020.
- Tanks or piping that turn 30 years old after being placed in TOS must be brought back into service within 12 months of turning 30 years old or be permanently closed per ATCP 93.545(1)(j)
 - For example, if the TOS tank or piping turned 30 years old on May 15, 2020, the tank or piping needs to be placed back into service or permanently closed by May 14, 2021.

