



Change of Ownership for Storage Tank Systems

BUREAU OF WEIGHTS & MEASURES

PO Box 8911
Madison, WI 53708
608-224-4942
datcp.wi.gov

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

Form TR-WM-137
<https://datcp.wi.gov/Documents/TR-WM-137.pdf>

Form TR-WM-118
<https://datcp.wi.gov/Documents/TR-WM-118.docx>

If you have purchased a property with storage tanks regulated under Wis. Admin. Code ATCP 93, and you have not notified the department of the change of ownership, you must do so immediately.

Storage tank systems regulated by Wisconsin Administrative Code ATCP 93 are required to be registered with the department in accordance with [Wis. Admin. Code § ATCP 93.140](#). If you have questions about whether your tank is required to be registered or permitted, please contact us at 608-224-4942 or datcpweightsandmeasures@wisconsin.gov.

[Wis. Admin. Code § ATCP 93.150](#) requires anyone taking ownership of property with a storage tank registered with the DATCP to notify us of the change of ownership **within 15 business days** of completing the real-estate transaction. This must be done using the change of ownership form ERS-10861 provided by us, or by using form [TR-WM-137](#) for underground storage tanks, or [TR-WM-118](#) for aboveground storage tanks. In order for us to process a change of ownership, you must include all of the following:

- The name and address of the new owner and of a local contact person
- The date the documents evidencing the property transfer are executed
- The name of the previous owner
- The address of all locations included in the real-estate transaction that have tanks which are subject to the registration requirements
- A copy of the newly recorded deed showing the new owner, except for residential properties

Owners of tank systems specified in [Wis. Admin. Code § ATCP 93.700](#) are required to have financial responsibility at all times. [Wis. Admin. Code § ATCP 93.705](#) requires storage tanks owners to demonstrate financial responsibility to take corrective action and to compensate third parties for property damage and bodily injury caused by a release. Pollution liability insurance is the most common form of financial responsibility. You must obtain financial responsibility prior to the completion of the real-estate transaction. If you are required to have financial responsibility and do not, it is grounds for **immediate shutdown** in accordance with [Wis. Admin. Code § ATCP 93.115\(3\)\(a\)8](#).

Storage tanks specified in [Wis. Admin. Code § ATCP 93.145](#) are required to be permitted by the department. Once the department has been notified of a change of ownership, a permit application will be sent to the new owner for all tanks that are required by to be permitted. The new owner must complete and return the permit application to the Department **within 15 business days**, and include all of the following:

- Proof of financial responsibility
- The affidavit of financial responsibility
- Required annual and monthly test reports

Permits to operate are not transferrable. When a change of ownership occurs, the permits to operate obtained by the previous owner become void upon completion of the real-estate transaction. You must obtain all records from the previous owner when purchasing a property with storage tanks. A tank system that undergoes a change of ownership and is not in compliance with [Wis. Admin. Code § ATCP 93.150](#) is subject to **immediate shutdown** under [Wis. Admin. Code § ATCP 93.115\(3\)\(a\)8](#).

For more information, additional contacts, or to find forms, please visit our website at: https://datcp.wi.gov/Pages/Programs_Services/PetroleumHazStorageTanks.aspx