Reporting Archived, Previously Closed but Unreported Underground Storage Tanks

**Question:** How can archived underground storage tanks previously closed and unreported be properly reported in CERS?

**Answer:** Underground Storage Tank (UST) owner/operators should wait until after the release of CERS 3 on April 2, 2019. Legacy USTs from a previous owner/operator’s last accepted submittal will be added to the current owner/operator’s draft UST submittal allowing the current owner/operator to properly report USTs as permanently closed in place or removed.

**Background**

When a UST facility owner/operator removes or permanently closes in place a UST, they are required to make a UST submittal to CERS within 30 days documenting the UST was properly closed in place or removed. In some cases, a closure submittal was never made. When an UPA (CUPA or PA) finds a closure submittal was never made, they will require the owner/operator make a UST closure submittal. Additionally, the UPA may undertake some form of enforcement against the facility for failure to report within the required timeframe.

In CERS, when there is an owner/operator change, there may also be a CERS business organization change. When this occurs the original business organization’s submittals are archived and are not available for use by the new business organization. When the owner/operator change does not result in a new business organization all previous submittals remain available to the new facility owner/operator.

Archived submittals may have included records for USTs that were removed or permanently closed in place and were not properly reported as such in CERS. In CERS, these USTs are considered active USTs, which incorrectly increases facility and UPA active tank counts. When an UPA discovers removed or permanently closed in place USTs that were never reported to CERS as closed or removed they will require the new owner/operator to make a submittal within 30 days.

**Process**

After April 2, 2019, CERS 3 will automatically have created a unique tank ID for all active USTs, including closed or removed USTs that have not been reported as closed, and will add the USTs to the new business organization’s UST submittal element for that facility.

The current UST facility owner/operator will make a UST submittal in CERS documenting each previously closed or removed UST by:
**UST Facility Operating Permit Application**

- Enter the correct type of action. If the tank(s) closure will close or remove all tanks at the facility the facility type of action must be set = Permanent Facility Closure

**UST Tank Information/Monitoring Plan**

- Select the proper type of action, either ‘Removed’ or ‘Permanently Closed in Place’
- Enter the correct closure date for each UST
- Add a comment in the ‘Additional Information’ field that this closure submittal is to close a UST on behalf of the previous owner/operator
- Save changes
• Continue the submittal process as you would any other submittal

Once this submittal has been accepted by the UPA no further action is required by the current owner/operator with respect to reporting these closed or removed USTs in CERS. This process does not relieve the current owner/operator from any other responsibility associated with the facility, property, the ramifications of the previously closed or removed USTs, or ongoing reporting requirements of this regulated facility.

For further information regarding this FAQ please contact your UPA representative.