

WAC 173-360A-0400 Transfer of regulated substances—Owners and operators. Owners and operators must ensure delivery of regulated substances to UST systems and withdrawal of regulated substances from waste oil UST systems are authorized and do not result in spills or overfills.

(1) **Authority to deliver or deposit.** Without the prior written authorization of the department, owners and operators may not accept the delivery or deposit of regulated substances into an UST system if:

(a) The owners and operators do not have a valid and current license to operate the UST system (WAC 173-360A-0200(1));

(b) A valid facility compliance tag is not properly displayed at the UST facility where the UST system is located (RCW 90.76.050(2) and WAC 173-360A-0220(1) and 173-360A-0280(4));

(c) A red tag is attached to the fill pipe of the UST system (RCW 90.76.050(2) and WAC 173-360A-0280(4)); or

(d) A release from the UST system has been confirmed and the system has not been repaired.

(2) **Authority to withdraw waste oil.** Without the prior written authorization of the department, owners and operators may not allow the withdrawal of regulated substances from a waste oil UST system if:

(a) The owners and operators do not have a valid and current license to operate the UST system (WAC 173-360A-0200(1));

(b) A valid facility compliance tag is not properly displayed at the UST facility where the UST system is located (WAC 173-360A-0220(1) and 173-360A-0280(5)); or

(c) A red tag is attached to the fill pipe of the UST system (WAC 173-360A-0280(5)).

(3) **Spill and overfill control.** To prevent spills and overfills during the transfer of regulated substances into an UST system, owners and operators must ensure that:

(a) Before the transfer, the volume available in a tank is greater than the volume of regulated substances to be transferred into the tank;

(b) During the transfer, the transfer operation is monitored constantly; and

(c) The transfer is performed in accordance with a code of practice. The following codes of practice may be used to meet this requirement:

(i) National Fire Protection Association, Standard 385, "Standard for Tank Vehicles for Flammable and Combustible Liquids";

(ii) American Petroleum Institute, Recommended Practice 1007, "Loading and Unloading of MC 306/DOT 406 Cargo Tank Motor Vehicles"; or

(iii) American Petroleum Institute, Recommended Practice 1621, "Bulk Liquid Stock Control at Retail Outlets."

(4) **Reporting spills and overfills.** Owners and operators must report, investigate, and clean up any spill or overfill of regulated substances in accordance with WAC 173-360A-0740.

[Statutory Authority: Chapter 90.76 RCW. WSR 18-15-083 (Order 16-02), § 173-360A-0400, filed 7/18/18, effective 10/1/18.]