

WAC 173-360A-0200 Licensing of UST systems. (1) Requirement for a license. An owner or operator must maintain a license for each tank until the UST system has undergone permanent closure or a change-in-service. Without the prior written authorization of the department, an UST system may not be operated without a license for each tank. Possession of a license does not preclude enforcement against owners and operators under this chapter, chapter 90.76 RCW, or other laws.

(2) **Eligibility for a license.** To be eligible for a license, an UST system must be in compliance with the requirements of this chapter and chapter 90.76 RCW.

(3) **Application for a license.**

(a) An owner or operator must apply for a license within thirty days of the following:

(i) Installation of an UST system or tank; or

(ii) Change in the owner or operator that is the licensee.

(b) To apply for a license, an owner or operator must submit the following to the department of revenue:

(i) Business license application;

(ii) Underground storage tank addendum;

(iii) Certification of financial responsibility and, if applicable, certificate of insurance or endorsement (WAC 173-360A-1045 (1)(a));

(iv) Annual tank fees (WAC 173-360A-0210) and any other applicable fees identified by the department of revenue (WAC 458-02-200(2)); and

(v) When applying upon installation of an UST system or a tank, the documentation required under WAC 173-360A-0300 (5)(a).

(c) Applications for UST systems located at different UST facilities must be submitted using separate forms, one for each facility.

(4) **Notification of changes in financial assurances.** Upon any change in the financial assurance mechanism(s) used to demonstrate financial responsibility or upon receipt of a notice of cancellation or termination of any such mechanism, the owner or operator must immediately notify the department of revenue in accordance with WAC 173-360A-1045 (1)(b) and (c). Licenses will not be renewed and may be revoked without proof of financial responsibility.

(5) **Notification of changes in owners or operators that are not licensees.** When the owner or operator that is not the licensee changes, the owner or operator must notify the department of ecology in writing within thirty days.

(6) **Renewal of a license.**

(a) Licenses must be renewed annually. To renew a license, the owner or operator must submit the following to the department of revenue:

(i) Renewal application; and

(ii) Annual tank fees (WAC 173-360A-0210) and any other applicable fees identified by the department of revenue (WAC 458-02-200(2)).

(b) If a license is not renewed by the expiration date, the department of revenue may assess a delinquency fee (WAC 458-02-200 (2) and (8)(b)). The department of ecology may also assess a penalty under WAC 173-360A-0290.

(7) **Display of a license.** Licenses must be displayed in a conspicuous place at the UST facility (RCW 90.76.020(4) and WAC 458-02-200(7)).

(8) **Revocation and appeals.** The department of ecology may revoke a license if an UST system is violating any requirement of this chapter or chapter 90.76 RCW. The revocation of a license may be appealed

to the pollution control hearings board in accordance with chapter 43.21B RCW.

[Statutory Authority: Chapter 90.76 RCW. WSR 18-15-083 (Order 16-02), § 173-360A-0200, filed 7/18/18, effective 10/1/18.]