



**DEPARTMENT OF ENVIRONMENT  
and NATURAL RESOURCES**

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PIERRE, SOUTH DAKOTA 57501-3182  
denr.sd.gov



April 4, 2014

County Commissioners  
Minnehaha County  
415 North Dakota Ave  
Sioux Falls, SD 57104

RE: South Dakota's Free Abandoned Tank Removal Program

Dear County Commissioners,

The State of South Dakota has entered the 15<sup>th</sup> year of our voluntary abandoned tank removal program. The South Dakota Department of Environment and Natural Resources will remove tanks that qualify and perform environmental cleanup actions we deem necessary to protect human health at no cost to the owner.

The state wants to remove every abandoned underground storage tank that was used to store a petroleum product. Examples of petroleum products are gasoline, diesel, fuel oil, aviation fuel, waste oil, etc. The state will not remove petroleum tanks that may be inaccessible, such as beneath a building. The free tank removals do not apply to tanks that were commercially in service on or after April 1, 1988. Non-petroleum tanks such as propane tanks, cisterns, and septic tanks are not eligible under this program. The state cannot pay for resurfacing of the disturbed area; that will be the responsibility of the property owner.

The Abandoned Tank Removal Program has removed abandoned underground petroleum tanks at approximately 3,000 sites, but there are still underground storage tanks that are no longer being used that have not been removed from the ground. In many of these situations, petroleum products may still be in the tanks or may have leaked into the ground. This spillage can cause our ground water to become polluted and may be a risk to people in the area. By removing the tanks now, we are helping to protect our ground water resources for generations to come.

We wanted you to know about this ongoing program. Enclosed with the tank removal application form is a summary fact sheet. The sheet lists the steps tank owners need to take to get tanks removed. Any help you can give us in getting the word out about it would be appreciated. Please give copies of the forms to anyone you know who may have abandoned tanks on their property.

For more information, please contact Justin Allen or Terry Florentz with DENR at 605.773.3296 with any questions about this free program. You may also contact us by fax (605.773.6048), e-mail (DENRINTERNET@state.sd.us), or visit our website (<http://denr.sd.gov/TankYank>). Thank you for your help.

Sincerely,

  
Steven Pirner  
Secretary

enclosures



# Abandoned Tank Removal Program

## Why should I consider getting my tank removed?



Tanks should be removed for two reasons. First, as tanks corrode, any petroleum that may still be in them will leak into our state's ground water. One gallon of gasoline has the potential to render one million gallons of water undrinkable. Leaks from tanks can also contaminate soil around the tanks and cause unhealthy gasoline vapors to seep into basements of private homes and businesses. Since these tanks are buried under several feet of soil, these problems can go unnoticed for years.

Second, the longer these old tanks remain in the ground, the more corroded they become. As the tanks become more corroded, there is an increased risk of the tank collapsing, and someone, or something, falling into the hole or tank.

## What tanks will the state remove?

The state wants to remove every out-of-service underground storage tank that was used to store a petroleum product. Examples of petroleum products are gasoline, diesel, fuel oil, aviation fuel, waste oil, etc. The state will not remove petroleum tanks that may be inaccessible, such as beneath a building. The free tank removals do not apply to tanks that were in service for the sale of petroleum fuels on or after April 1, 1988. Also, non-petroleum tanks such as propane tanks, cisterns, and septic tanks are not eligible under this program.

## How are the tanks removed?

All you need to do is give the state permission to dig up your tanks and do any necessary cleanup. After you give your permission, the Department of Environment and Natural Resources (DENR) will hire private contractors to remove any remaining product from the tank, remove the tank, and test the soil. The contractor will also remove piping and contaminated backfill around the tank. The contractor then fills the hole. The state pays for all the costs associated with removing the tanks from your property and any additional cleanup that is needed. However, the state does not pay to have the site resurfaced with new pavement, concrete, gravel, or grass.

## What does the program cost me?

The best news associated with this program is that with the exception of resurfacing costs, it is free to the landowner! This is an opportunity that you cannot pass up if you own property with eligible underground storage tanks that are no longer in service.

The program is funded by DENR's Petroleum Release Compensation Fund (PRCF). This is a fund created in part to address environmental problems associated with spills from tanks. The money comes from a tank inspection fee imposed on wholesale distributors of petroleum fuels.

## Is there a lien placed on my property by the state?

The answer is NO! When the program was first approved by the 2000 Legislature, the state was required to place a lien on the property for five years. However, a bill was introduced during the 2001 legislative session to eliminate the lien. The bill was approved by the legislature and, because of an emergency clause on the bill, went into effect immediately after it was signed.

## How do I give my permission to have my tanks removed?

All you need to do is fill out the Tank Removal Form on the reverse of this sheet and return it to the address at the top of the form.

## If I have questions, how can I get more information?

- Visit <http://denr.sd.gov/TankYank>
- Call the Abandoned Tank Removal Program at (605) 773-3296;
- E-mail at [DENRINTERNET@state.sd.us](mailto:DENRINTERNET@state.sd.us); or
- Write to: Abandoned Tank Removal Program, Department of Environment and Natural Resources, 523 E. Capitol Avenue, Pierre, SD 57501



**Get Your Abandoned Underground Petroleum  
Tanks Removed for **FREE!!****

# TANK REMOVAL FORM



**Return To:**  
**Petroleum Release Compensation Fund**  
**Department of Environment & Natural Resources**  
**Joe Foss Building**  
**523 E. Capitol Ave. Pierre, SD 57501**

**Email:** denrinternet@state.sd.us  
**Phone:** 605-773-3769  
**Fax:** 605-773-6048

Name of owner or person having legal custody of the property: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Phone # \_\_\_\_\_

Cell or Evening # \_\_\_\_\_

**Site Information:**

Name or former name of business where tanks are located: \_\_\_\_\_

Site Address (Street/City/Zip): \_\_\_\_\_

Nearest Cross Street to the Site: \_\_\_\_\_ County: \_\_\_\_\_

**Was the site a commercially-operated motor fuel station that was in operation after April 1, 1988?**     Yes     No

Type(s) of surfacing overlying tanks? Select all that apply:     Concrete     Asphalt     Gravel     Grass/Dirt

Number of pump islands: \_\_\_\_\_ Other Surfacing \_\_\_\_\_

Please fill out the following table to the best of your knowledge for the tanks at this location:

	Capacity (Gallons)	Used for storing what Substances?	Current contents & amount	Date last used
1				
2				
3				
4				
5				

**I hereby give the state permission to remove my abandoned underground storage tank(s) and I certify and agree to the following terms:**

1. I certify I am the owner or person having legal custody of an abandoned site and the taxes are current at the location described above;
2. I waive all claims against the state, its officers, agents, and employees for damages resulting directly or indirectly from the tank pulling or corrective action;
3. I agree to transfer ownership of the tanks and their contents to the state upon removal;
4. I understand the state will fill the excavations back to grade after removal, but will not replace or provide any resurfacing;
5. I, the owner or person having legal custody of the property described on this form, consent to officers, agents, employees, and authorized representatives of the state of South Dakota entering and having continued access to the property for the following purposes:
  - Removal of abandoned underground storage tanks and petroleum contaminated soil;
  - Taking of such soil, water, and air samples as necessary; and
  - Other actions related to the investigation, assessment, and corrective action of surface or subsurface contamination.

\_\_\_\_\_  
 Printed Name of Owner or Legal Custodian

\_\_\_\_\_  
 Signature

\_\_\_\_\_  
 Date

## FREE PETROLEUM TANK REMOVALS

The South Dakota Department of Environment and Natural Resources wants to protect our environment by removing all abandoned underground petroleum storage tanks.

Visit our Website at <http://denr.sd.gov/TankYank> to determine if your tank(s) are eligible for the free program;  
or

Contact Terry Florentz at the Department of Environment and Natural Resources now!

Phone: 605-773-3296; or e-mail: [denrinternet@state.sd.us](mailto:denrinternet@state.sd.us)