



Abandoned Storage Tanks

Wisconsin Administrative Code ATCP 93 defines “abandoned tank” as an aboveground or underground tank, with or without product, which does not meet the requirements of in-use, temporarily out-of-service or closed.

Tanks that are abandoned with or without product shall be permanently closed within 60 days of being abandoned per [Wis. Admin. Code ATCP § 93.560\(5\)](#). In order to bring an abandoned tank system back to in-use or temporarily-out-of-service status, a petition for variance from the requirements of per Wis. Admin. Code ATCP § 93.560(5) must be submitted to the department. For more information on that process, please see our [Abandoned Storage Tanks: Returning to In-Use or Temporarily-Out-Of-Service](#) fact sheet.

[Wis. Admin. Code ATCP § 93.560\(1\)](#) requires that the owner or operator notify DATCP at least five business days before beginning permanent closure of a tank system using form [TR-WM-121](#).

To permanently close an **underground** tank system, the owner or operator shall comply with the following requirements per [Wis. Admin. Code ATCP § 93.560](#):

- Empty and clean the tank and piping using a process that complies with the national standard referenced in Wis. Admin. Code § 93.200.
 - Individuals cleaning the tanks or removing tanks or portions of tanks systems must be certified. A list of DATCP registered companies that offer storage tank system cleaning/removal services can be found on our [website](#).
- Complete the revised tank registration form [TR-WM-137](#) and submit it to DATCP within 21 business days of closure or removal.
- Perform a tank-system site assessment in accordance with Wis. Admin. Code ATCP § 93.560(3).

To permanently close an **aboveground** tank system, the owner or operator must comply with the requirements of Wis. Admin. Code ATCP § 93.560 except:

- Certified persons are not required to perform the cleaning and removal of:
 - Heating fuel tanks at 1 and 2 family dwellings
 - Field-erected tanks
 - Tanks storing a Class III liquid that is neither petroleum nor CERCLA-listed.
- Tanks that are not immediately removed shall have the word “CLOSED” and the date of permanent closure marked on the tank at least 3 feet above grade, with lettering at least 3 inches in height.
- Complete a revised tank registration form [TR-WM-118](#) and part A of form [TR-WM-140](#) and submit to DATCP within 21 business days of closure.

Penalties for failure to remove an abandoned tank system may result in penalties of up to \$5000 per day, per violation in accordance with Wis. Stat. § 168.26.

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-121
<https://datcp.wi.gov/Documents/TR-WM-121.docx>

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>

Form TR-WM-140
<https://datcp.wi.gov/Documents/TR-WM-140.pdf>

Abandoned Storage Tanks: Returning to In-Use or Temporarily-Out-Of-Service Status Fact Sheet:
<https://datcp.wi.gov/Documents/AbandonedStorageTanksReturningToInUseOrTOS.pdf>