

**INSTRUCTIONS FOR
KANSAS PETROLEUM STORAGE TANK RELEASE TRUST FUND
APPLICATION FORM**

CHECK APPROPRIATE FUND:

An aboveground petroleum storage tank system (AST) is defined as any storage tank containing petroleum in which greater than 90% of the total volume, including tank and lines, is above the surface of the ground.

An underground petroleum storage tank system (UST) is defined as any storage tank containing petroleum in which 10% or more of the tank volume, including the piping, is below the surface of the ground.

SECTION 1. FACILITY AND OWNER/OPERATOR INFORMATION

- A. Provide the name and street address of the facility.
- B. Provide the name of the city and county in which the facility is located.
- C. Indicate if petroleum products are currently stored or have been previously stored for sale or resale purposes.
- D. Provide the name of the person or company who is making application to the Trust Fund.
- E. If the application is approved, a Consent Agreement will need to be entered into with the KDHE. This Consent Agreement outlines the statutory requirements the applicant must follow. No expenses can be reimbursed until a Consent Agreement has been finalized by the applicant and the KDHE. Provide the name, title, phone number, and mailing address of the authorized individual who will sign the Consent Agreement.
- F. Check the appropriate item(s) to indicate whether the applicant is a current or former tank owner, tank operator or property owner.
- G. Provide the name of the person and company (if applicable) who is coordinating the cleanup on behalf of the applicant. This person must be a legal agent that is authorized to enter into contracts and sign any other documents on behalf of the applicant. Provide the mailing address, phone number and fax number of the contact person. Please keep the KDHE informed of any changes related to the contact person.
- H. 1.If the applicant is applying as the property owner, provide the date the facility was obtained by the applicant. Also, provide a copy of the sales contract, property deed, or other document(s) confirming the acquisition date. If the applicant is not applying as the property owner, mark NA.
2.If the applicant is the property owner and is also the tank owner, provide the date the tank(s) were obtained by the applicant. If the applicant does not have ownership of the tank(s), mark NA.
- I. Check the appropriate item. Items 1-3 are for government agencies, 4 is for private businesses, and 5 includes others such as individuals (residents), cooperatives, and any other entity not specifically covered in 1-4.
- J. Check yes if the storage tanks were used during the applicant's ownership (property or tank owner). Check no if not. Check Not Owner if the applicant is not the owner of the property or storage tanks.
- K. Check yes only if the applicant inherited (acquired by intestate succession or testamentary deposition) the tanks located at the property of this facility from the former owner. The applicant may not be eligible for the Petroleum Storage Tank Release Trust Fund if tanks are not located at the property of the facility.

SECTION 2. STORAGE TANK (ST) SYSTEM INFORMATION

- A. Check yes if the storage tanks are located at a refinery or a facility involved in the production of petroleum products.
- B. Provide the number of storage tanks at this facility. Include all active and inactive aboveground and underground petroleum storage tanks that were located at this facility when the release was discovered.
- C. Provide the date the storage tanks were last used at this facility.

- D. Check yes if the suspected leaking storage tank system (this includes tanks and/or lines) was properly removed. Provide the date it was removed. Check no if it has not been removed. If the storage tank system has been removed or closed permanently, a completed Permanent Tank Abandonment Form must be submitted with this application. Check NA if the release resulted from a spill or overflow.
- E. Check yes if the suspected leaking tank system (tanks and lines) was properly repaired and provide the date the repair was completed. Check no if the system was not repaired. Check NA if the system was removed rather than repaired or if the release was a result of spills or overfills.
- F. Check yes if the storage tank has a capacity of 1,100 gallons or less and is used on a farm or single family residence for noncommercial purposes. Check no if not.
- G. Check yes if the storage tank was used only for storing heating oil for use at a single family residence.
- H. Check yes if the tank capacity is less than 660 gallons; otherwise check no.

SECTION 3. APPLICANT FINANCIAL INFORMATION

- A. This question applies to underground petroleum storage tanks only. If an applicant can meet the criteria for self-insurance under the federal act (40CFR 280.95) check yes. This does not mean the applicant has to use self-insurance as a method to meet the federal financial responsibility requirements.
- B. This question applies to underground petroleum storage tanks only. Check yes if the applicant has coverage for third party liability. If yes, provide the name of insurance company and policy numbers or other allowable methods (such as bonds, letter of credits, self insurance and guarantee) the applicant may have employed to satisfy the financial responsibility requirements for third party liability.
- C. Check yes if any corrective action costs are covered by warranties, guarantees, or insurance policies other than the state trust fund. Check no if the applicant does not have any other coverage. If the applicant has other coverage, provide information regarding the coverage (i.e. policy number, name of coverage, etc.). Attach a copy of the information which outlines the applicant's coverage.

SECTION 4. COMPLIANCE INFORMATION

- A. Indicate whether the tanks at this facility have been registered with the Kansas Department of Health and Environment (KDHE). All registered tanks have been assigned an owner identification number and a facility identification number. These numbers can be found on your annual Storage Tank registration renewal form.
- B. Check yes if all non-exempt tanks owned or operated by the applicant have been registered with the KDHE. Check no if all tanks owned (partially or wholly) or operated by the applicant have not been registered. Check NA if the tanks are exempt from registration.
- C. Check yes if all annual tank fees have been paid. Check no if they have not been paid. Check NA if the tanks are exempt from fee payment.
- D. 1. Check yes if the storage tank system was in compliance with all release detection requirements at the time contamination was discovered; otherwise, check no. Check NA for storage tanks that are exempt from release detection requirements. Check NA for aboveground petroleum storage tanks. This item applies to underground petroleum storage tanks only. Check NA if the applicant happens to be a property owner only and petroleum storage tanks located at the property were never used.
2. Check yes if the facility had valid KDHE permits for all non-exempt active petroleum storage tanks to allow operation of such tanks. Check no if the facility did not have valid KDHE permits for operating non-exempt petroleum storage tanks at the facility at the time release/contamination was discovered. Check NA if all petroleum storage tanks at the facility are exempt from permitting regulations. Check NA if all the storage tanks at the facility were inactive and not being used, at the time release/contamination was discovered, due to temporary or permanent out of use status. Check NA if the applicant happens to be a property owner only and petroleum storage tanks located at the property were never used.
- E. 1. Check yes if all other tank systems owned or operated at other facilities were in compliance with release detection requirements when the release/contamination was discovered; otherwise, check no. Check NA if the applicant does not own or operate other petroleum storage tanks or if all other tanks are exempt from release detection requirements. This item applies to underground petroleum storage tanks only. Check NA if the applicant happens to be a property owner only and petroleum storage tanks located at any or all other properties owned by the applicant were never used.
2. Check yes if all other non-exempt tank systems owned or operated by the applicant at other facilities had valid operating permits issued by the KDHE. Check no if all non-exempt petroleum tank systems did not have valid operational permits issued by the KDHE. This refers to the time release/contamination was discovered. Check NA if the applicant does not own or operate any other petroleum storage tanks or if

all other petroleum storage tank systems owned or operated by the applicant are exempt from permitting regulations. Check NA if all storage tanks at all other facilities were inactive and not being used, at the time release/contamination was discovered, due to temporary or permanent out of use status. Check NA if the applicant happens to be a property owner only and petroleum storage tanks located at any or all other properties owned by the applicant were never used.

- F. Check yes if the contamination or release was reported to KDHE staff. Check no if it was not reported. If reported, provide the date the contamination or release was discovered and the date it was reported to the KDHE. This is generally the same date KDHE personnel was on site during tank removal (if tanks were removed). Refer also to 40CFR 280.50, KDHE's UST Preventive Maintenance Check Services document and KDHE's Spill Packet for release reporting requirements.
- G. Check yes if the KDHE or another qualified environmental consultant was on site at the time the contamination was detected or to check for contamination during the tank removal. Provide the name of the KDHE staff member or the name of the consultant. Check no if the KDHE or another qualified environmental consultant did not conduct an environmental assessment of the site during tank removal or tank closure.
- H. Check yes if inventory control was performed and records maintained each day the storage tanks were operated, as required by regulation 40CFR 280.43(a). Daily inventory control records track the daily amount of overages and shortages of petroleum products along with a monthly reconciliation. If yes, submit records for the last twelve months of operation. Check no if inventory control was not performed or if daily inventory control records were not maintained. Check NA if the tanks are exempt, by Kansas regulations, from daily inventory control requirements.
- I. This item pertains primarily to aboveground tanks. Refer to Article 7 of the Kansas State Fire Marshall's regulations.
- J. If you are a first time applicant to the Kansas Petroleum Storage Tank Release Trust Fund (Trust Fund) or if the number of facilities in Kansas have changed since your last Trust Fund application filing, complete the required information in Item J for all other facilities owned/operated by the applicant in Kansas. Attach a separate sheet if necessary.

SECTION 5. CORRECTIVE ACTION AND REIMBURSEMENT INFORMATION

- A. Check yes if the contamination was due to leakage from storage tank systems, spills, or overfills.
- B. Check yes if corrective action at the site has been completed and the KDHE is not requiring additional corrective action. Check no if corrective action has not been initiated or completed and corrective action is required.
If additional corrective action is required: Check yes if the contamination limit or boundary has been determined. Check no if the contamination limit or boundary has not been determined.
- C. After approval of the application, the KDHE will develop a specific corrective action plan (site investigation and or remedial action plan). Upon development of the plan, the applicant is required to obtain three bids to perform the work according to the required plan. If the applicant wants the KDHE to obtain the required bids on their behalf check yes. If the applicant prefers to retain responsibility for obtaining the bids check no.
- D. Reimbursement checks must be made out to the applicant or the applicant's business. The KDHE is required to submit all reimbursement information to the IRS; therefore, the name on the check should reflect the Social Security Number or the Federal Employers Identification Number of the person or company who will be reporting the cleanup expenditures and reimbursements to the IRS.
- E. Attach copies of all information requested - Investigation reports - Tank system tightness tests - Inventory records.

Print or type the name and title of the individual submitting the application, then sign and date it.

The application and all supporting documents are to be sent to:

Kansas Department of Health & Environment
Storage Tank Trust Fund
1000 SW Jackson, Suite 410
Topeka KS 66612-1367

Questions concerning the Trust Fund application process can be directed to the KDHE at (785) 296-1678.