**Section 240.810 Tanks, Tank Batteries** **and Containment Dikes**

a) Tank Battery Registration

1) All new tank batteries constructed after July 1, 2001 shall be registered with the Department, when the tank battery is constructed, by the permittee of the wells on the lease where the tank battery is located. Registration shall be on a form prescribed by the Department.

2) All tank batteries existing on July 1, 2001 are required to be registered with the Department by the permittee of the wells on the lease where the tank battery is located.

3) All tank batteries shall be transferred, at the time of associated well transfers, on forms prescribed by the Department.

4) No fee will be charged for tank registration and tank battery transfer.

5) The tank battery registration number shall be displayed on the tank battery.

b) Tank and Tank Battery Requirements

1) All tanks and tank batteries containing produced fluids or equipped to receive produced fluids shall be surrounded by containment dikes.

2) Tanks shall not be buried.

3) All tanks shall be maintained in a leak-free condition.

4) All open top tanks shall be covered with bird netting or other system designed to keep birds and flying mammals from landing in the tank.

5) New tank batteries constructed after July 1, 2001 shall not be located:

A) within 200 feet of an existing occupied dwelling, unless the current owner of the structure has provided a written waiver consenting to the construction closer than 200 feet, in which case the tank battery shall be completely fenced to prevent unauthorized access; or

B) within 200 feet of a stream, body of water, or marshy land, unless the permittee can demonstrate to the Department that construction standards or topography will prevent accidental discharge into these features.

c) Containment Dike Construction

1) A containment dike shall have a capacity of at least 1½ times the largest tank it contains and be bermed at least 18 inches above the highest ground surface surrounding the outside of the containment dike and

at least 18 inches above the highest ground surface inside of the containment dike.

2) Containment dikes shall be constructed of native soil. In areas of sand, containment dikes shall be constructed of clay soil and the bottom of the dike area shall be lined with at least 6 inches of clay soil.

3) Alternative Construction of Containment Dikes

Containment dikes may be constructed of formed corrugated galvanized steel sheeting and a synthetic flexible liner at least 30 mils in thickness that is manufactured specifically for this purpose. The containment dike structure shall be constructed in accordance with the manufacturer's specifications and must meet the following requirements:

A) The bottom of the corrugated steel enclosure shall be set into the soil to a depth of at least 6 inches below the ground surface.

B) The corrugated steel enclosure shall be secured to galvanized steel braces placed around the outside perimeter at intervals that will prevent sagging or collapse of the structure.

C) Adjoining sections of the liner must be sealed together to prevent leaks.

D) The liner shall be secured to the top of the entire perimeter of the steel enclosure.

E) The containment dike structure shall be approved by a Department representative prior to being placed into service. If the construction is not approved by the Department, any deficiencies shall be remedied by the permittee and approved by the Department prior to the structure being placed into service.

F) The containment dike structure shall be maintained in a leak-free condition. If the Department has reason to believe the liner has a leak, the permittee shall immediately cease use of the enclosed tank battery until the liner has been repaired to a leak-free condition and has been inspected and approved for future use by the Department.

G) The containment dike structure shall meet all other requirements of subsections (c), (d) and (e).

4) The permittee may petition the Department to utilize an alternative construction method for containment dikes other than the one described in subsection (c)(3). The request must be made in writing and submitted to the Office's main Springfield location. Upon receipt of a written request for an alternative containment dike construction method, the Department shall review the request and shall respond to the permittee within 30 days. All final decisions on requests for alternative construction methods for containment dikes shall be considered final administrative decisions of the Department.

5) Containment dikes shall not have any breach or other uncontrolled conduit that penetrates the dike and allows the discharge of produced water, liquid oilfield wastes or stormwater.

6) Discharge of produced fluids, stormwater or other liquid oilfield wastes is prohibited, unless the permittee obtains an NPDES permit from the Illinois Environmental Protection Agency (IEPA).

d) Containment Dike Maintenance

1) The area within the dike shall remain free of liquid oilfield waste, general oilfield waste, equipment debris, stormwater runoff and excessive vegetation.

2) Any spill or discharge of produced fluids or other liquid oilfield wastes occurring within a containment dike shall be remediated in place in accordance with Section 240.891(a).

3) Any spill escaping from a containment dike shall be cleaned up in accordance with Sections 240.890 and 240.895.

e) Tank and Containment Dike Restoration

1) Remove all tanks and aboveground piping and flowlines coming into tank battery.

2) Level and grade soil containment dikes.

3) Remove from site all non-soil constructed containment dikes.

4) Remediate all oil contaminated soil at tank site in accordance with Section 240.891(a).

(Source: Amended at 43 Ill. Reg. 10459, effective September 6, 2019)