



**ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION
U·N·D·E·R·G·R·O·U·N·D S·T·O·R·A·G·E T·A·N·K·S
EMPTY TANK AFFIDAVIT**



The Alaska Department of Environmental Conservation (ADEC) *Empty Tank Affidavit*, Form 18-0503, is used to verify that your underground storage tank (UST) system is empty and meets the definition of “*Taken Out-of-Service*,” in accordance with Title 18 Alaska Administrative Code (AAC) 78, *Underground Storage Tanks*.

- A UST is considered “*Taken Out-of-Service*” when the free petroleum product is removed so that no more than 2.5 centimeters or 1.0 inches of residue, or 0.30 percent by volume, of the total capacity of the system remains (18 AAC 78.020).
- A “*Temporarily Closed*” UST system may still contain petroleum product, *therefore* the Owner and/or Operator is not relieved of the monthly *Release Detection* (RD) monitoring and recordkeeping responsibilities.
- A UST system with the “*Taken Out-of-Service*” designation does relieve an Owner and/or Operator of the monthly RD recordkeeping responsibilities.
- An Owner and/or Operator of a UST system that is “*Taken Out-of-Service*” is required to:
 - Continue to provide proof of Financial Responsibility (18 AAC 78.910)
 - Continue to test and monitor cathodic protection (18 AAC 78.045)
 - Obtain a third-party *UST Operations Inspection* each third year and submit it to the ADEC by September 30th of the year it is due (18 AAC 78.017).

INSTRUCTIONS FOR FILING
JUDICIAL DISTRICT: The four judicial districts in Alaska are: First District, Juneau and Southeast Alaska; Second District, Nome, Kotzebue, Barrow and other northern communities; Third District, Anchorage, the Mat-Su Valley and the Kenai Peninsula; Fourth District, Fairbanks, Bethel and other Interior Areas. If you have a question about which District you are signing in, please ask your Notary Public or call the Clerk of the nearest State Court.
STATEMENT 1: Enter the assigned Facility Identification Number (<i>Example: Facility #3765</i>). Specify the name of the facility and the physical location but <u>do not use</u> a post office box number. The milepost-highway designation is acceptable, but the address number assigned by the US Postal Service is preferred. Indicate the total number of UST systems that are installed at the facility (exclude heating-oil storage consumed on the premises).
STATEMENT 2: Specify the actual day, month and year when the UST system(s) were <i>Taken Out-of-Service</i> . Explain why use of the UST system was discontinued.
STATEMENT 3: Specify the actual day, month and year that the contents of the UST system(s) were pumped out or otherwise removed. State the name of the person who made the determination that the contents were entirely removed, and the <i>method</i> used to empty the system(s).
STATEMENT 4: Manually measure the depth of product in the empty UST system. <ul style="list-style-type: none"> · You must use a standard UST measuring stick that is capable of measuring the level of petroleum substance to the nearest one-eighth (1/8) of an inch. · Specify the actual day, month and year you verified the definition of <i>Taken-Out-of-Service</i> was met. · Perform the measurement no more than seven days prior to signing the <i>Empty Tank Affidavit</i>. · Identify the empty UST systems by ADEC Tank number(s).
STATEMENT 5: Specify the last known day, month and year that petroleum product was placed into the UST(s).
STATEMENT 6: Explain what measures have been taken to prevent any additional petroleum product from being added after the UST system(s) were verified as empty (<i>example</i> , secure fill pipes, lock out/tag out, etc.)
STATEMENT 7: Acknowledge that you have received, read and understand these instructions.
AFFIANT SIGNATURE: The affiant is the person who filled out the affidavit; sign and date.
NOTARY PUBLIC: This affidavit is sworn testimony. It must be signed in the presence of a Notary Public and stamped by the Notary. Many lawyers, bankers, librarians, court clerks and others are authorized as Notaries.
If a question does not apply to your UST system, please cross out the appropriate line and initial the blank that is crossed out. If you do not know the answer to a question, write “unknown” in the space provided.

IN THE MATTER OF UNDERGROUND STORAGE TANK USE

STATE OF ALASKA)

_____JUDICIAL DISTRICT)

SWORN AFFIDAVIT OF _____,

I, _____,

upon my sworn oath, do state as follows:

1. I am the (*circle one*) Owner and/or Operator of Facility # _____,

(*facility name*) _____,

located at (*physical or street address*) _____,

(*city*) _____.

The facility currently has (*number*) _____ of regulated underground storage tank (UST) systems.

2. Use of the following UST systems at this facility were taken out of operation, defined as "taken out-of-service," (18 AAC 78.995(145)), on (*day, month, year*) _____.

Operation of ADEC UST number(s) _____

was discontinued and the systems were *Taken Out-of-Service* because (*explain*) _____

_____.

3. Petroleum product was removed from the UST system(s) (*day, month and year*) _____,

by (*removal method*) _____.

The UST system(s) and piping were determined to be empty as defined in 18 AAC 78.995(145) as observed by (*person making determination*) _____.

4. I measured the contents of all UST system(s) *Taken Out-of-Service* and verified that ADEC Tank number(s) _____, contain less than one inch (*two and one-half centimeters*), of petroleum product, or less than (*number of gallons*) _____.

5. To the best of my knowledge and belief, no petroleum product has been placed into these UST system(s) since the date given in paragraph 4. The known date that petroleum product was placed into the UST systems was on or about (*month/year*) _____.

6. I have taken the following measures to lock and secure the UST system(s) including fill pipes, pumps, sumps, dispensers, and ancillary equipment, so that it may not be tampered with or filled without notification to ADEC and authorization. *(Describe security measures taken)* _____

_____.

7. I have read and understand the "*Instructions for Filing*" attached to this Affidavit.

Further Affiant sayeth naught.

(Date) _____ *(Signature of Affiant)* _____

On *(date)* _____, *(Name of Affiant)* _____,

who is known to me *(or proved his or her identity to me on the basis of satisfactory evidence)*, personally appeared before me and executed the foregoing document in my presence.

WITNESS my hand and official seal.

My Commission Expires:

(Seal of Notary Public)