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# *Underground Oil Tanks*

Effective November, 1998, the B.C. Fire Code and Canadian Fire Code identify two options for dealing with underground storage tanks if they have been out of service for more than two years. An owner must either remove the tank and piping or, with permission, disable the tank by removing the oil and disabling the tank in accordance with local regulations.

An inactive buried oil tank is considered to be a latent defect and if the seller is aware that one exists, he has an obligation to disclose this fact. The removal and disposal of the tank (and any oil in it) varies in cost. Usually, the more difficult a tank is to remove, the higher the price will be. Some owners claim "hardship" to avoid having to remove the tanks. Under fire code regulations, if the tank is located, for instance, beneath a paved driveway, foundation or patio slab, homeowners may be permitted simply to drain and fill the tank with sand.



**Buyers should be aware that these oil tanks pose an environmental concern** and that there are very real risks in dealing with potentially contaminated soil. Buyers should have the property inspected and seek out an expert opinion on the matter as there could be years and years of undetected leaching often resulting in damage to neighbouring yards, foundations and public property. If there is any evidence of leakage, a soil sample will have to be taken and analyzed by a certified environmental engineering company. If the test proves positive, a program of remediation will have to be embarked on until the site is proven to be free of contamination. This usually means that contaminated soils must be replaced with clean fill. This could prove to be extremely costly! Also, increasing homeowner insurance claims resulting from leaking oil tanks are very expensive and can lead to high insurance rates, or even refusal of coverage.

Each municipality has different requirements and provisions for enforcing the removal or abandonment of buried oil tanks. Removal is usually overseen by the area's local fire department and they will often recommend contractors who are licensed to transport hazardous waste and are equipped with a metal detector or rolling radar if the site is not visible.

All required permits need to be obtained before the removal of an oil tank can occur. A fire inspector will be in attendance at the work site and view the excavation to ensure that the work has been completed as required and to look for any signs of soil contamination.

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## **Signs of Residential Underground Storage Tanks or "RUSTs" include:**

- ✓ **A filler pipe sticking out of the ground (as pictured above);**
- ✓ **A vent pipe at the side of the house;**
- ✓ **A metal pipe cap close to the front or back yard.**