

DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ) INSTRUCTIONS FOR FORM 7530-3A

General Information

When Form 7530-3A may be filed.

DEQ recommends that sellers of USTs obtain a completed and signed Form 7530-3 from the UST buyer as part of the sales transaction. The seller then may submit the Form 7530-3 reflecting the change in ownership to DEQ and need not provide additional proof of the transfer of ownership. Additionally, the seller may be assured that the DEQ public record of tank ownership will reflect the buyer as the tank owner.

Where the seller did not take such precautionary measures and where the buyer has failed to file a Form 7530-3, the seller may submit Form 7530-3A. This form permits a registered owner to request that DEQ change its registration records to reflect a change in ownership to the person or entity to which tanks have been sold.

Penalties

Any person who knowingly makes any false statement on this form shall be guilty of a felony punishable by a term of imprisonment of up to three years and a fine of not less than \$5,000 but up to \$50,000 per violation. If convicted of a violation, any defendant that is not an individual shall be sentenced to pay a fine of not less than \$10,000.

Part I: Current Ownership of Tanks

- The seller should enter the name, address and contact information for the tank buyer in this Part.
- The buyer name as reflected in the transaction documents should be used.

Part II: Location of Tanks

- Enter a 911 (street) address, not a post office box.

Part III: Former Ownership of Tank

- The seller's name and information should be entered in this Part.

Part IV: Ownership Transfer Documentation

- In order for DEQ records to reflect a change of ownership, the seller must submit the legal document transferring ownership to the buyer. DEQ legal staff will review the documentation to determine whether it is adequate to reflect a change of ownership absent a notification signed by the buyer. If the documentation is determined to be adequate to reflect a change of ownership, DEQ's public records will reflect the buyer as the tank owner and DEQ will look to the buyer and the facility operator for compliance obligations.

- If the documentation is determined to be inadequate to reflect a change of ownership, DEQ's public records will continue to reflect the seller as the tank owner and DEQ will look to the seller and the facility operator for compliance obligations. Upon receipt of a completed, signed notification (Form 7530-3) from the buyer, DEQ will then look to the buyer and cease to pursue the seller for compliance obligations (other than releases reported during the time the seller owned the USTs).

Part V: Former Owner Certification

- By signing this notification, the employee is representing that he or she has the authority to act on behalf of the employer. The only entities with access to the Virginia Petroleum Storage Tank Fund for reimbursement of corrective action and third party claim costs are UST owners and operators. Therefore, it is important that employees make certain the representations they are making on behalf of their employers regarding the transfer of tank ownership are correct.

Part VI: Description of Transferred Tanks

- **Owner Tank Identification Number.** Enter the number the owner has assigned to the tank, if any. Note that each compartment of a compartmentalized tank should be registered as separate tanks. Similarly, manifolded tanks should be registered as separate tanks.
- **DEQ Tank Identification Number** This space should be blank since it is for DEQ staff use only.
- **Tank Status.** Tanks should be reflected as "New Tank." Changes in tanks, piping, tank contents or tank ownership should be reflected as "Amendment." Temporary or Permanent Tank Closure should be marked as a "Closure".
- **Date of (Tank) Installation.** The date of installation, if known, should be entered. If only part of the date is known (e.g., only the year, or only the month and year), the owner should enter that information.
- **Date of (Pipe) Installation.** Same as for tank.
- **Date of Temporary Closure** The date the tank was temporarily closed should be entered.
- **Tank Capacity (Gallons).** Note that each compartment of a compartmentalized tank should be registered as separate tanks. Similarly, manifolded tanks should be registered as separate tanks.
- **Substance Stored.** The name of the fuel, petroleum type or hazardous substance stored should be entered.
- **Material of Construction.** Check all that apply.
- **Piping Type.** Pressure systems are the most common type.
- **Spill Containment & Overfill Prevention.** If the tank receives >25 gallons at a time, both spill containment and overfill prevention are required for each tank. Check the Spill Containment / Bucket box to reflect tanks for which spill containment has been installed. For Overfill Prevention, check the box corresponding to the type of overfill prevention installed for each tank.

DEQ USE ONLY. This space should be blank since it is for DEQ staff use only.