

**AFFIDAVIT: Exempt Pre 1974 Underground Storage Tanks**

Affidavit for owners and operators or other interested parties requesting acknowledgement by the department that underground storage tanks (USTs) are exempt from closure provisions in accordance with Iowa Administrative Code 567-135.15(7).\*

This section must be completed by the owner and notarized: (please print)

I, \_\_\_\_\_, being duly sworn, hereby certify that the following statements and all attached documents are true and accurate based on reasonable investigation and to the best of my knowledge.

1. I am the owner of \_\_\_\_\_ underground storage tanks as defined by Iowa Code Section 455B.471(6) located at \_\_\_\_\_ .

Legal description: (provide the legal description of the property as found on the deed or mortgage)

- 2. That these tanks were taken out of operation prior to January 1, 1974.
- 3. That these tanks have not contained a regulated substance since January 1, 1974,
- 4. That these tanks do not currently contain an accumulation of a regulated substance other than a de minimus amount (i.e. beyond 2.5 centimeters of residue or 0.3 percent by weight of the total capacity of the UST system), and
- 5. The execution of this instrument is my voluntary act and deed.

\_\_\_\_\_  
Signature of Owner (*In Ink*)

\_\_\_\_\_  
Date

STATE: _____ COUNTY OF _____ Sworn to and subscribed before me this _____ Day of _____ , _____  _____ Notary Public	(Seal)     _____ My Commission Expires
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\*If the department has a reasonable basis to suspect a release has occurred, the release investigation and confirmation steps of subrule 135.8(1) and the corrective action requirements as provided in 567-135.7(455B) to 567-135.8(455B) shall apply.

ATTACHMENTS (*required*):

Attachment A – Provide a site map, plat map, or air photo indicating the approximate location of the exempt pre-74 tank(s) on the property.

Attachment B – Describe the investigation performed to determine to the best of your knowledge the USTs have not contained a regulated substance since January 1, 1974, and the UST's do not currently contain an accumulation of a regulated substance. Provide copies of any supporting documentation.