

Connecticut Clean Marina Guidebook - Connecticut Department of Environmental Protection

Legal Requirements

Both aboveground and underground storage tanks and their piping systems are subject to the National Fire Protection Association's (NFPA) Automotive and Marine Service Station Code (NFPA 30A). These requirements are adopted locally. Check with your municipal fire marshal for local requirements, or contact the State Fire Marshal's Office at 860-685-8380.

Aboveground Petroleum Storage

If your facility stores a certain amount of **gas or oil in aboveground tanks (a single tank with capacity greater than 660 gallons, or more than one tank with total aboveground storage capacity of more than 1,320 gallons) it may require an SPCC Plan** [40 CFR 112.1], which outlines a facility-wide plan to prevent spills and contingency plans in case of spills. The aboveground storage tank should be located within a dike or over an impervious storage area with containment volumes equal to 110% of the capacity of the storage tank.

Underground Petroleum Storage

Tanks with ten percent or more of total volume below grade (including the volume of connected underground pipes) are considered Underground Storage Tanks (USTs) and must meet certain requirements, which were promulgated November 1, 1985 [RCSA §22a-449(d)-1 and §22a-449(d)-101-113]. The general requirements are that:

1. the tank and piping be constructed of noncorrosive materials or externally coated cathodically protected steel and installed according to manufacturer's specifications;
2. the facility has an approved method of leak detection which includes the maintenance of all activity records for 5 years;
3. fill-pipes on tanks have means to collect spills from delivery hoses;
4. the tanks have overfill protection, such as automatic shutoff devices which activate at 90% UST capacity and restrict flow during deliveries;
5. the tank be registered with the DEP and the local fire marshal (on the Form EPHM-6);
6. if a facility has a total underground buried storage capacity of more than 42,000 gallons of petroleum product, it may require a Spill, Prevention, Control, and Countermeasure (SPCC) Plan [40 CFR 112.1]. See Appendix E for more information.

There are additional requirements for facility owners or operators when they are closing USTs through removal or in-place abandonment [RCSA §22a-449(d)-107]. Contact CT-DEP's Underground Storage Tank Program at 860-424-3374 for more information.

Connecticut DEEP

Underground Storage Tank - Regulatory Summary - An Environmental Program Fact Sheet

The underground storage tank (UST) regulations (PDF) and the Amendments to the UST Regulations, May 31, 2012 (PDF) are preemptive in nature. Both at federal and State levels, the regulations are designed to prevent releases by closely monitoring petroleum and chemical storage and by imposing deadlines for removal of older USTs (and UST components) before they fail. All commercial USTs, regardless of volumetric capacity, fall under Sections 22a-449(d)-1 or 22a-449(d)-101 through 113 of the Regulations of Connecticut State Agencies (RCSA) if containing motor fuels, heating fuels, waste oils or CERCLA-listed chemicals.

Tank facilities, including integral piping, with ten percent or more of total volume below grade are considered “underground.” Since November 1985, it has been illegal to install any nonresidential UST component which is neither fiberglass-reinforced plastic (i.e., noncorrosive) nor which has a manufacturer-applied, anti-corrosive coating and cathodic protection. USTs and UST components which meet these criteria are said to meet new installation standards. As of October 1, 2003, these standards require that new UST installations be double-walled UST systems with double-walled tank(s) having a continuous 360° interstitial space monitored continuously via inert gas or liquid, vacuum monitoring, electronic monitoring or mechanical monitoring and double-walled piping.

USTs that do not meet new installation standards (e.g., bare-steel or concrete tanks and piping) could not be legally installed after November 1985 and cannot be used for longer than twenty (20) years (average life expectancy of fifteen years plus five) from legal date of installation. Furthermore, steel or concrete UST components can only be used up to twenty years, providing failure determination tests are conducted twelve years after installation and annually thereafter, and the UST systems are determined not to be leaking. Unprotected USTs greater than twenty years of age prior to September 1, 1989 were required to be taken out-of-service before that deadline.

UST systems had to be upgraded to meet new installation standards for protected tanks and piping and equipped with spill and overfill protection prior to December 22, 1998. If not so upgraded, USTs had to be taken out-of-service and permanently closed prior to December 22, 1998.

Daily inventories, weekly and monthly reconciliations of those readings must be conducted for USTs containing motor fuels and waste oils. Daily losses or gains exceeding one half of one percent of the total volumetric capacity of the tank system are considered “abnormal” and must be investigated and reported as potential leaks.

UST owners/operators of heating oil USTs need only conduct annual failure determination tests at the end of UST facility life expectancy to comply with state leak detection requirements. Options for leak detection, other than annual failure determination testing, include automatic tank gauging systems, interstitial monitoring (in the case of double-walled tanks), monthly sampling of groundwater monitoring wells or monthly monitoring of “vapor sniffing” wells. Piping also must be periodically tested for integrity.

All test results, closures, new installations or general changes in status of UST systems or facilities MUST be reported to the Storage Tank Enforcement Unit of CT DEEP on prescribed DEP-UST-NOT-001 Notification Forms (Word, PDF, Instructions). Such notification is a federal and state legal requirement. Any person who owns an UST system that stores or has stored petroleum or hazardous substances must notify the DEEP by submitting the form.

The Notice of Intent to Amend was published on June 22, 2010. A public hearing was held on July 28, 2010 regarding the proposed changes to the UST regulations. Both oral and written testimony and comments were received. A Statement of Reasons is being prepared by the Hearing Officer.

For further information contact the Storage Tank Enforcement Unit at (860) 424-3374 or write to:

Department of Energy and Environmental Protection
Bureau of Materials Management and Compliance Assurance
Emergency Response and Spill Prevention Division
Storage Tank Enforcement Unit
79 Elm Street
Hartford, CT 06106-5127

Underground Storage Tank Program - An Environmental Program Fact Sheet - Program Overview

The Underground Storage Tank (UST) program, administered by the Bureau of Materials Management and Compliance Assurance, is designed to prevent releases by closely monitoring petroleum and chemical USTs and by imposing deadlines for the removal of older USTs, connected underground piping, and ancillary equipment before they fail. If you own a nonresidential UST which is currently in use, which will be brought into use, or was taken out of service, even if empty, you must complete a Notification Form and file it with the Department of Energy and Environmental Protection (DEEP), if you have not previously done so. By filing a Notification Form with DEEP and the local fire marshal, you will comply with both state and U.S. Environmental Protection Agency (EPA) UST registration requirements.

Authorizing Statutes

Section 22a-449(d) of the Connecticut General Statutes (CGS)

Regulations

Sections 22a-449(d)-1 and 22a-449(d)-101 through 113 of the Regulations of Connecticut State Agencies (RCSA)

Who Must Comply?

All owners of nonresidential USTs that contain motor fuels, heating fuels, waste oils, or Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) listed chemicals must comply with the above referenced regulations. UST is defined as a tank that is used or designed to contain an accumulation of regulated substances, and the volume of which (including the volume of underground pipes connected thereto) is 10 percent or more beneath the surface of the ground. For exemptions to these requirements refer to section 22a-449(d)-1(a) and (c) and section 22a-449(d)-101(a) RCSA.

For guidance on residential USTs, (e.g., FAQs, tank releases) refer to the DEEP website, Residential Home Heating Oil Tanks.

Who Must Notify?

All owners or former owners of nonresidential USTs, as described above, are required to notify DEEP and the local fire marshal. For exemptions to this requirement refer to section 22a-449(d)-1(a) and (c) and section 22a-449(d)-101(a) RCSA.

Required Documents

Notification for Underground Storage Tanks (DEEP-UST-NOT-001)

Fees

An installation fee of \$100.00 per tank per year will be billed by the Central Permit Processing Unit (CPPU) upon receipt of the Notification Form (DEEP-UST-NOT-001).

Unique Processing Features

Owners and operators of all USTs, including residential, and above ground tanks must notify and/or comply with local fire marshal requirements.

Standards for New Installations

Underground storage tanks (including USTs for apartments of five or more living units), connected underground piping, and ancillary equipment must be constructed of fiberglass reinforced plastic (i.e., non-corrosive) or constructed of steel, with a manufacturer-applied anti-corrosive coating and cathodic protection or be a composite or jacketed tank. These standards for the installation of new USTs have been in effect since November, 1985.

As of October 1, 2003, all newly installed commercial USTs, and heating oil USTs for apartment units of five or more, must also

be double-walled with double-walled piping, both having a continuous 360-degree interstitial space that is continuously monitored using inert gas or liquid, or vacuum, electronic, or mechanical monitoring.

1998 Deadline for Meeting New Standards and Requirements

As of December 22, 1998, owners and operators were required to implement the following upgrade requirements to their underground storage tanks: spill and overfill protection, corrosion protection, and release detection. Tanks not meeting the December 22, 1998 requirements must be properly closed.

The following USTs are exempt from the December 22, 1998 deadline:

- USTs storing heating oil for consumptive use on the premises where it is stored (although other usage deadlines are applicable);
- Farm and residential USTs of 1100 gallons or less capacity used for storing motor fuel for noncommercial purposes;
- Tanks on or above the floor of underground areas such as basements;
- Septic tanks;
- Storm-water or wastewater collection systems;
- Flow-through process tanks; and
- Emergency spill and overfill tanks.

Reporting and Record Keeping

Owners and operators of nonresidential USTs must report the following to the UST Enforcement Program on the Notification for Underground Storage Tanks Form (DEEP-UST-NOT-001): new installations, closures, changes in status of USTs, changes in owner or operator information, or changes in billing contact information.

Owners and operators of nonresidential USTs must keep and maintain the following records at the UST site and make them immediately available for inspection by DEEP: documentation of operations of corrosion protection equipment, UST system repairs, compliance with release detection requirements, and the results of the site investigation conducted at permanent closure. Such records, including copies of all Notification Forms, must be maintained at the UST site for at least five years beyond the operational life of the UST system. Records, if greater than five years old, or with written approval by the commissioner, may be kept at a readily available alternative site, but must be made immediately available to DEEP inspectors upon request.

For all USTs which contain or contained, gas, diesel, waste oil or CERCLA regulated hazardous waste: Samples must be collected at the time of closure. If corrective action is indicated by the sample results, then UST closure notifications must be accompanied by a closure report that includes sampling results of soils and groundwater. If contamination is discovered, it must be reported immediately to DEEP and site clean-up must be conducted to bring the levels of contaminants below the current DEEP remediation standards. For additional guidance refer to the Sampling and Analytical Methods for Underground Storage Tank Closure.

For additional information, refer to the DEEP website, Underground Storage Tank Notification, Compliance & Release Prevention.

UST Petroleum Clean-up Account

Sections 22a-449a through section 22a-449h CGS established this account to provide financial assistance for clean-up of sites impacted by leaking USTs and to enable petroleum tank owners to fulfill the financial responsibility requirements under 40 CFR 280.90. For eligibility criteria, regulations, or application forms, please call the UST Petroleum Clean-up Account Program Staff at 860-424-3370.