



INNOVATIVE UST STATE PROGRAM REQUIREMENTS

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2025 National Tank Conference

TODAY'S FOCUS WILL BE...

- **Unique Challenges for Connecticut / UST Program Requirements**
- **Innovative UST Regulations Adopted in 2025 / Future-Proofing**
- **Performance-Based Incentives for Quick Cleanups / Compliance**
- **Advanced Field Inspections / Robust Enforcement**



UNIQUE CHALLENGES FOR KEEPING CONNECTICUT SAFE



- ✓ Over 3.6 million residents (4,844 square miles)
- ✓ Over 2,500 public water systems (85% residents)



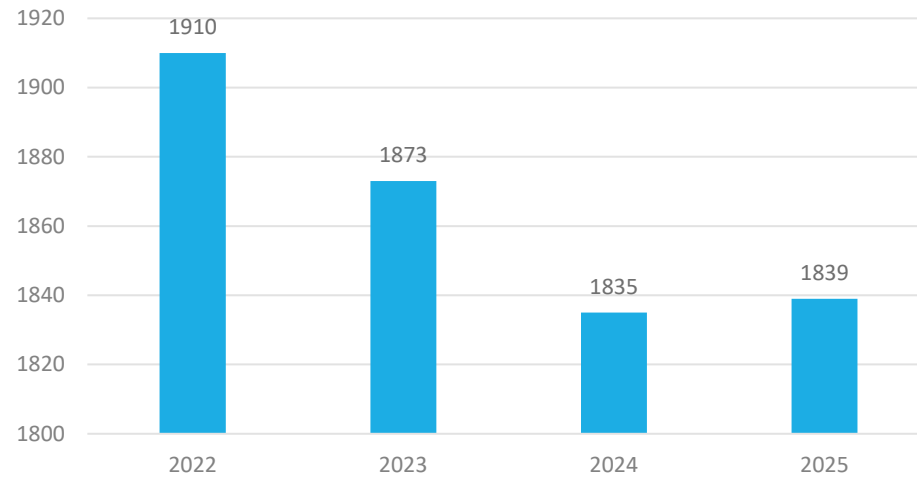
- ✓ High Water Table (Long Island Sound)
- ✓ UST Petroleum Clean-up Fund Sunsetting in 2012

THUS, PREVENTING RELEASES FROM USTS TO THE ENVIRONMENT IS **KEY**!!!!!!



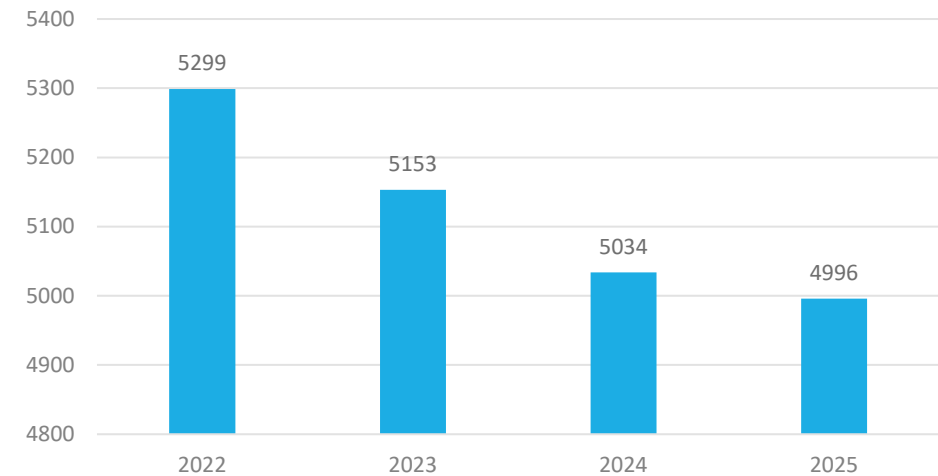
TRENDS IN CONNECTICUT'S UST SYSTEM UNIVERSE

Federally Regulated UST Facilities



3 Underground Storage Tanks

Federally Regulated USTs



NEW UST REGULATIONS HAVE BEEN ADOPTED

May 7th 2025 – Final approved regulation package included:

- [RCSA 22a-449\(d\)-1](#) (State-only)
- [RCSA 22a-449\(d\)-101 to 114](#) (Federally regulated)
- [RCSA 22a-6b-8\(c\)\(6\)](#) (Admin. Civil Penalties)

Can be found on State E-Regulation Portal using the following link: [Title 22a - Environmental Protection](#)



Technical Updates to 22a- 449(d)-101 through 114 – Fed. Regulated

- i. **Streamlined and clarified clean-up process for leaking UST systems**
- ii. **Deleted outdated standards, including references to codes of practice**
 - ✓ Added flexibility with nationally recognized codes of practice and eliminated NFPA 30
- iii. **Clarified:**
 - ✓ Definitions – UST System, hazardous substances, CERCLA
 - ✓ Who must conduct monthly inspections
 - ✓ A, B, C Operator obligations, training & program requirements
 - ✓ What repairs are allowed for certain UST system components
 - ✓ Release detection requirements for double-walled USTs
- iv. **Added:**
 - ✓ Flexibility for lower cost options to comply with and extend life expectancy (30, 40 vs 45)
 - ✓ More stringent secondary containment requirements for tanks containing hazardous substances
 - ✓ Requirements for 3rd party annual inspections
 - ✓ Fees added for cleanups that are not completed in a timely manner – up to \$5,000
 - ✓ More stringent and additional options to secure Financial Responsibility

PERFORMANCE STANDARDS AND INSTALLATION FOR FEDERALLY REGULATED SYSTEMS

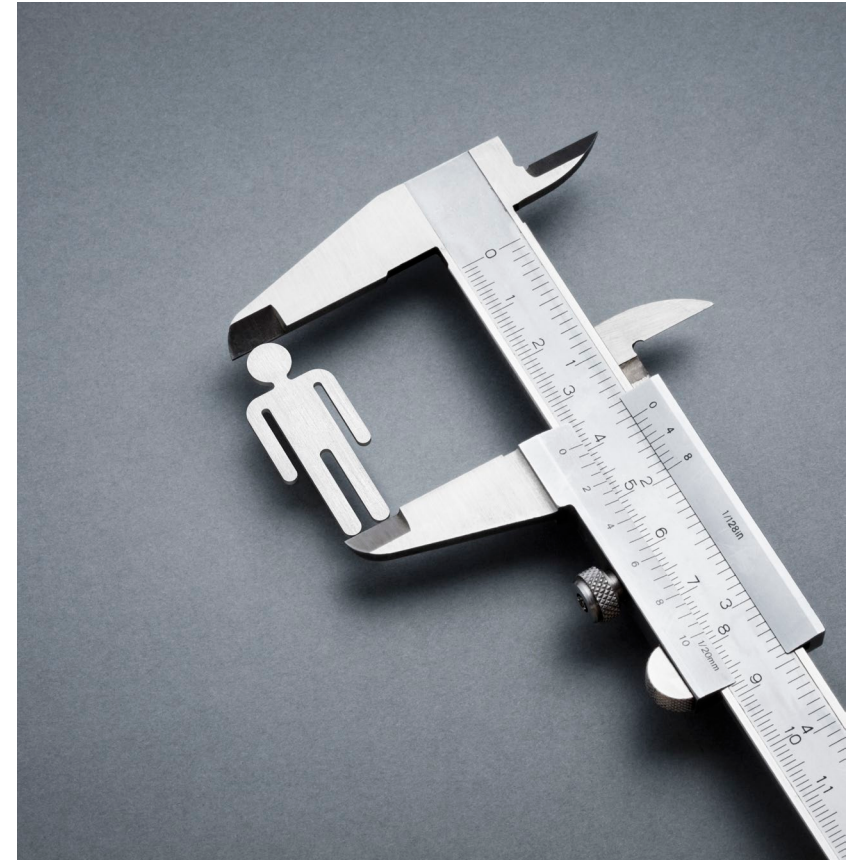
[RCSA 22a-449(d)-102]

Adds ***NEW*** performance standards for dispensers

- Breakaway devices
- Shear/crash valves
- Dispensing hoses cannot be on ground while not in use (Marinas excluded)

NEW UDCs and STPs must be liquid tight and contain a sensor, or upgraded by May 7th, 2027 (DW piping)

NEW Spill buckets must be liquid tight & capable of containing the amount of regulated substances in transfer hose used for delivery, but no less than 5 gallons



UST SYSTEM PERIODIC TESTING [RCSA 22a-449(d)-103]

NEW 2025 periodic underground storage tank and piping testing requirements

Annual

Overfill spill prevention equipment

Release detection equipment

Cathodic protection (rectifier checked monthly)

Tank tightness test

Line tightness test (pressurized piping)

Automatic line leak detector (ALLD) test

ATG certification

3-Year Testing

Tank interstice secondary containment

Piping interstitial space

STP/UDC/Spill bucket interstitial space

Line tightness test (suction piping)

NEWLY DEVELOPED & MODIFIED UST COMPLIANCE FORMS

Revised to conform with new Connecticut regulations and 2021 version of Petroleum Equipment Institute RP-900

Centralized UST inspection requirements in RCSA 22a-449(d)-103

Posted on DEEP's website and found using the following link - UST registration compliance and release prevention

- **Updated** Monthly inspection must be conducted by **B Operators**
- **New** Annual inspection to be conducted by a **qualified third party**
- **New** Monthly inspection for temporarily out-of-service USTs
- **New** Sump/spill bucket repair or replacement report
- **Updated** Weekly Inventory Reconciliation form
- **New** Suspected release reporting form
- **Updated** 30-day Pre-Closure Notification
- **New** 90-day Notice of Completion of UST Closure form



UPGRADES TO RELEASE DETECTION AND OVERFILL PREVENTION

[RCSA 22a-449(d)-104]

- DW tanks and piping installed prior to October 1, 2003, will have until May 7th, 2027, to utilize continuous interstitial monitoring
- DW tanks installed after August 5th, 2025, must have continuous interstitial monitoring on both primary and secondary walls (e.g., inert gas, vacuum, brine)
 - Piping must also utilize continuous interstitial monitoring
- After May 7th, 2026, all drop tubes must be installed to within 6 inches of tank bottom
- 90% high-level overfill alarm must be audible AND visual





3RD PARTY FINANCIAL RESPONSIBILITY [RCSA 22a-449(d)-109]

- ❖ All current Owners/Operators must secure new FR to protect against inability to clean up releases in CT
- ❖ Added 3 self-insurance mechanisms for local governments
- ❖ More stringent requirements
 - Removed inconsistencies between policies and regulations
 - Removed junk bond status from bond rating test
 - Requires greater tangible net worth for companies
 - Added risk-based indicators to Dunn & Bradstreet ratings
- ❖ Requires notifications to DEEP of cancellations, substitutions, or non-renewals of instruments within 60 days

UST SYSTEM LIFE EXPECTANCY, DETAILED [RCSA 22a-449(d)-111]

RCSA § 22a-449(d)- 111(b)	Details	Life Expectancy (years)
Category 1	(1) For a tank or piping constructed of <u>cathodically protected steel, or a flex connector made of steel</u>	30
Category 2	(2) For tanks or piping that do not meet the requirements of subdivision (3) and are made of fiberglass-reinforced plastic, any other non-metallic material, or a tank constructed of steel and clad or jacketed with a non-corrodible material, such as <u>single-walled or double-walled tanks or piping that does not utilize continuous interstitial monitoring</u>	30 (or 40)
Category 3A	(3) For <u>double-walled</u> tanks or <u>double-walled</u> piping made of fiberglass- reinforced plastic, any other non-metallic material, or a tank constructed of steel and clad or jacketed with a non-corrodible material: (A) Using <u>interstitial monitoring</u> that does not monitor both the primary containment and secondary containment, <u>such as a sensor in a dry space</u>	40
Category 3B	(3) For <u>double-walled</u> tanks or <u>double-walled</u> piping made of fiberglass- reinforced plastic, any other non-metallic material, or a tank constructed of steel and clad or jacketed with a non-corrodible material: (B) Using <u>continuous interstitial monitoring</u> that monitors both the primary containment and secondary containment such that the inner and outer walls are continuously monitored using technology <u>such as inert gas, or liquid, or under constant vacuum (e.g., "brine")</u>	45
Category 4	(4) For tanks or piping constructed of any other material not identified in categories (1)-(3) above	15

UST SYSTEM PERMANENT CLOSURE [\[RCSA 22a-449\(d\)-107\]](#)

Persons responsible for closure must have:

- HAZWOPER certification with annual 8-hour refresher; and
- Passed International Code Council Decommissioning Exam U2 or equivalent exam listed on the DEEP's website

Sampling required within 5 days of closure

- Piping runs must be sampled every 10 feet
- Analytical data must include data quality assessment and data usability evaluation in accordance with Connecticut's [Remediation Standards Regulations](#)

Assessment evaluating all locations where contamination most likely to be present

- All four sides & bottom of tank grave
- Areas with staining or visible holes in tank
- Under spill buckets, sumps, and UDCs

UST closure report required to be completed in 60 days

- Notice of Completion of UST Closure form submitted to DEEP within 30 days after (90 days after closure)



RELEASE RESPONSE REQUIREMENTS [\[RCSA 22a-449\(d\)-106\]](#)

- Must immediately report confirmed releases to CT DEEP within 1 hour
 - **Suspected releases need to be reported too!**
- **(New)** [Release Reporting Regulations](#) & [flowchart](#)
- Releases must be abated or remediated by a [licensed spill cleanup contractor](#) with valid CT DEEP Issued Permit
- **(New)** electronic release response and corrective action forms required by regulation [UST Clean-Up webpage](#)



NOTIFICATION AND RECORDKEEPING

[RCSA 22a-449(d)-114]



- ***NEW*** section in state regulations
- Consolidates all notification and recordkeeping requirements
- Facilities must notify within 30 days of any changes to a UST system
 - Annual notification due between Aug. 1 – Oct. 10
- Records must be always made available and retained for 1 year beyond life of UST component



REGULATED PERFORMANCE BASED CLEANUP INCENTIVES

[RCSA 22a-6b-8]

Fees and Civil Penalties

- **Added cleanup fee schedule**
 - Up to \$5,000
- **Civil Penalties Schedule, RCSA 22a-6b-8**
 - Up to 20 primarily for minor violations
 - Penalties ranges from \$100 per violation to \$1,000 (most \$250 per violation)



Table 6A Penalty Schedule for Underground Storage Tank (UST) Violations	
Type of Violation	Penalty
Failure to submit a completed underground storage facility annual notification in violation of section 22a-449(e) of the Connecticut General Statutes or notify the commissioner within 30 days of any change to any information in a prior notification submitted about a regulated UST system or of the installation of an UST system in violation of 22a-449(d)-114 of the Regulations of Connecticut State Agencies.	\$250 per violation
Failure to submit an underground storage facility notification fee in violation of section 22a-449(e) of the Connecticut General Statutes or to submit an UST system installation fee in violation of section 22a-449(h) of the Connecticut General Statutes.	\$250 per violation
Submission of a false statement in a Connecticut General Statutes section 22a-449(e) underground storage facility notification or other notification required under section 22a-449(d)-114 of the Regulations of Connecticut State Agencies in violation of section 22a-6(a)(8) of the Connecticut General Statutes.	\$1,000 per violation
Failure to maintain a disabling device on dispensers and fill pipes in violation of section 22a-449(g) of the Connecticut General Statutes.	\$1,000 per violation
Failure to post Operator Response Guidelines at the site where the UST system is located in violation of section 22a-449(d)-103 of the Regulations of Connecticut State Agencies or to post proper Class C operator training records at the site where the UST system is located in violation of section 22a-449(d)-108 of the Regulations of Con	\$100 per underground storage facility

ELECTRONIC FIELD INSPECTION & REPORTING



- Use of rugged tablets in field to create and upload electronic inspection reports and field enforcement actions

Tablet – Dell Rugged Latitude 7230 Extreme

Connectivity - Internet/Network Access in Field

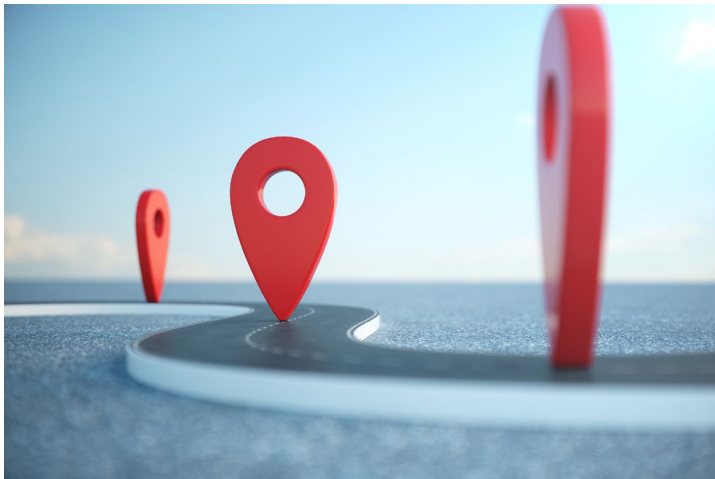
Software – Inspector Tool® ([MobileWright Solutions, Inc.](#))

UST Location – Lat./Long. Coordinates Geocoded

- Field generated inspection reports and enforcement actions with electronic signatures

- All data synced in field and uploaded to online state databases

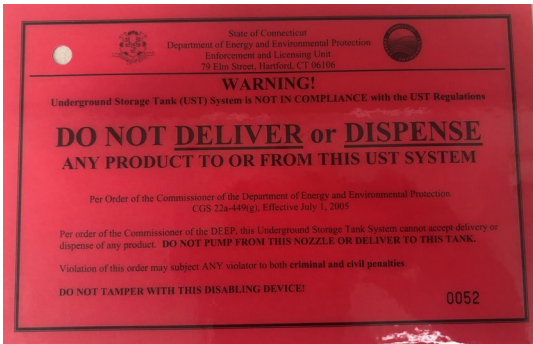
- Ability to edit/add violations on-the-fly and sync to tablets in the field



ROBUST FIELD ENFORCEMENT

DEEP to issue Notice of Disabled UST Systems (Red Tag) for any new substandard UST installation after August 5th, 2025

- Compliance plans to require upgrades to USTs installed that do not meet performance standards
- Disabling of sensors leads to Red Tag issued for no release detection



A Class B or Class C Operator must be present at all times when any regulated substance being dispensed for sale

- DEEP to Red Tag gas station without a trained B or C Operator present when operating
- Connecticut inspects federally regulated facilities at least once every 3 years, **or anytime by complaint!**





Questions?

For further questions or additional information, please contact the Licensing and Enforcement Unit at (860) 424-3374, or by e-mail at DEEP.USTEnforcement@ct.gov.