2025 UST REGULATION UPDATES

Prepared by: ERSPD's Licensing and Enforcement Unit (LEU) and Correction Action Unit (CAU)
Bureau of Materials Management and Compliance Assurance, CT DEEP
Connecticut Environmental Forum: May 6, 2026

TODAY'S FOCUS WILL BE...

- New Connecticut UST Regulations Adopted, incl. 106 Clean-up/ Corrective Action (CA) Requirements
  - UST CA separate from Release-Based Clean-up Regulations (RBCRs)
- Purpose / Scope of Final Regulation Package
- Major Regulatory Changes Outlined
- Additional Requirements
- Field Inspection / Field Enforcement

NEW UST REGULATIONS HAVE BEEN ADOPTED

May 7th 2025 – Final approved regulation package went into effect

- RCSA 22a-449(d)-1
- RCSA 22a-449(d)-101 to 114
- RCSA 22a-6b-8(c)(6)

Can be found on State E-Regulation Portal using the following link: Title 22a - Environmental Protection

PURPOSE OF NEWLY ADOPTED REGULATIONS

To modernize and update UST requirements by:

- clarifying certain requirements which have proven to be confusing;
- adding additional flexibility to certain requirements, including life expectancy;
- providing consistency with current technologies;
- eliminating outdated standards; and
- streamlining recordkeeping requirements into one section.

SCOPE / UST REGULATIONS UPDATED

RCSA 22a-449(d)-1 (State Only)

Applicability:

- Heating oil for onsite consumption at non-residential facilities
- 1,100 gallons or less motor fuel USTs at farms (a.k.a. farm tanks)

RCSA 22a-449(d)-101 to 114 (Federally Regulated)

Applicability:

- Motor fuel USTs, including emergency generator USTs
- USTs containing other petroleum products, such as used oil or CERCLA hazardous substances regulated by US EPA
- Farm tanks with a capacity of more than 1,100 gallons

Technical Updates to 22a-449(d)-1 – State only 'Heating Oil' Tank Systems

i. **Eliminated Outdated References**

ii. **Clarified:**

- ✓ closure requirements
- ✓ tank exemptions
- ✓ definitions
- ✓ notification requirements
- ✓ recordkeeping requirements

iii. **Added:**

- ✓ flexibility for lower cost options to comply with and extend life expectancy (30, 40, 45 yrs)
- ✓ secondary containment, including UDCs and piping containment sumps, again for consistency
- ✓ if applicable, requirement for breakaway devices and shear valves on dispensers
- ✓ documentation requirement for compatibility between substance & UST construction material (e.g., >10% ethanol and >20% biodiesel certification)

PARTIAL EXEMPTIONS IN (d)-1 [RCSA 22a-449(d)-1]

A. *NEW* Double-walled (DW) USTs exempt from notification (d)-1(d) and life expectancy (d)-1(h) requirements

- Must be used solely for on-site heating
- Must have capacity < 2,100 gallons
- Must be DW and installed on or after October 1, 2003

Note: No UST is exempt from closure (j) or failures (i).

Note: SW & DW tanks with < 2,100 gallons installed before October 1, 2003 no longer exempt.

B. *No Change* Single-walled USTs exempt from release detection (d)-1(g)(9)

- Must be used solely for on-site heating
- Must be installed prior to October 1, 2003*

Note: Farm tanks storing motor fuel need release detection (g)(9).

*CGS sec. 22a-449o

INSTALLATION & PERIODIC TESTING FOR (d)-1 TANKS [RCSA 22a-449(d)-1]

- Initial installation testing required on all UST systems
- Annual Cathodic Protection testing required
  - Additional monthly check of rectifiers associated with impressed current CP system
- All Single-Walled (SW) tanks must have failure determination tests conducted every 5 years until closure (unless meets partial exemption)

(d)-1 RELEASE DETECTION FOR DW SYSTEMS [RCSA 22a-449(d)-1]

TIMELINE TO UPGRADE TO CONTINUOUS INTERSTITIAL MONITORING

- **Installed before October 1, 2003, have until May 7th, 2027, to continuously monitor the interstitial space of the tank and piping using inert gas, liquid, a vacuum, electronic or mechanical monitoring (e.g., dry space with sensor)**

- **Installed on or after October 1, 2003, but before August 5th, 2025, need to continuously monitor the interstitial space of the tank and piping using inert gas, liquid, a vacuum, electronic or mechanical monitoring (e.g., dry space with sensor)**

- **DW tanks installed after August 5th, 2025, need continuous interstitial monitoring on both primary and secondary walls (e.g., inert gas, vacuum, brine, etc.)**

(d)-1 LIFE EXPECTANCY

[RCSA 22a-449(d)-1]

- No life expectancy for partially exempt DW tank systems
- Life expectancy set automatically to 30 years for all tanks and piping
- Additional 15 years (45-year total) life expectancy for FRP or non-metallic tanks using brine or equivalent interstitial monitoring system

NOTE Any UST system with unknown installation date must be permanently closed

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 and training requirements
- ✓ What repairs are allowed for certain UST system components
- ✓ Temporary closure compliance requirements (certain release detection and inspection requirements)
- ✓ 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
- ✓ Consolidate in one section to make easier to find notification and recordkeeping reqts. in new section (114)
- ✓ Streamline and provide clarity to section 106
- ✓ Fees added for cleanups that are not completed in a timely manner – up to $5,000
- ✓ Additional options to secure Financial Responsibility

PERFORMANCE STANDARDS AND INSTALLATION FOR FEDERALLY REGULATED SYSTEMS

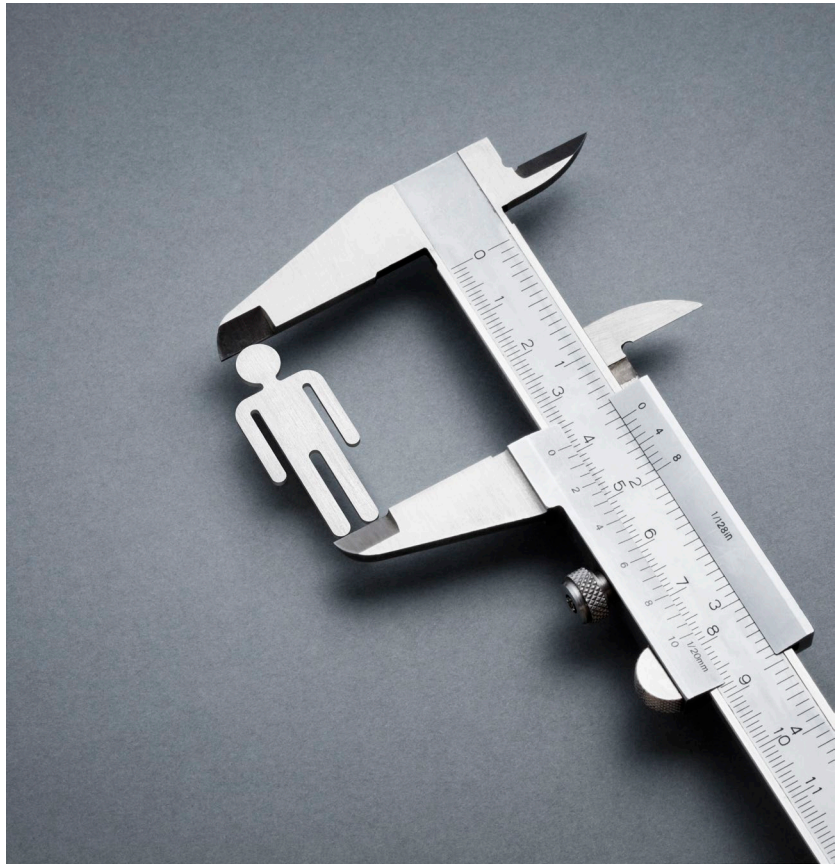
[RCSA 22a-449(d)-102]

Clarified 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 amount of regulated substances in transfer hoses used for delivery (no less than 5 gallons)



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

NEW UST periodic testing requirements table can be found on deep's website.

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

- New 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 form
- New Weekly Inventory Reconciliation form
- New Suspected release reporting form
- New 30-day Pre-Closure Notification
- New 90-day Notice of Completion of UST Closure form

UPGRADES TO RELEASE DETECTION AND OVERFILL PREVENTION

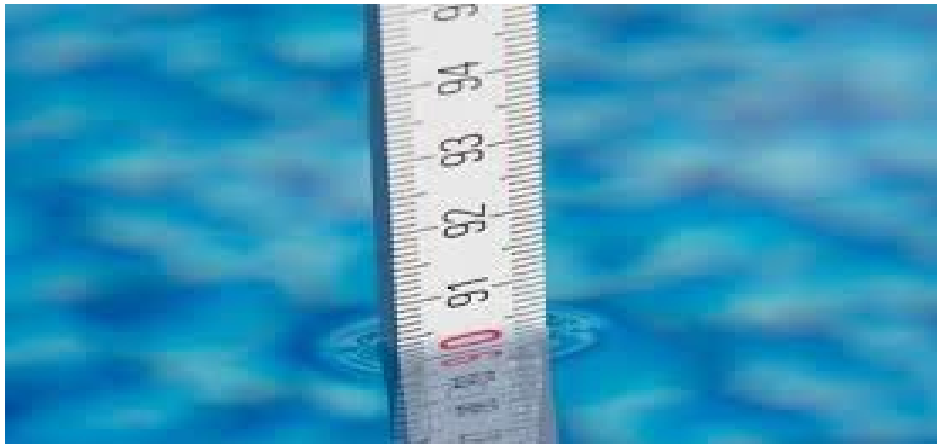
[RCSA 22a-449(d)-104]

- **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**



SUSPECTED RELEASES
[RCSA 22a-449(d)-105]

Must be investigated and reported to Commissioner using *NEW* form posted on DEEP's website within 24 hours

Provides *NEW* examples of "Unusual Operating Conditions", including but not limited to:

- **Erratic behavior of product dispensing equipment**
- **Sudden loss of product from UST system**
- **Unexplained presence of water in tank**
- **Any condition or monitoring result, such as alarm, indicative of failure of UST system**
- **Any condition in secondary containment system, such as liquid in sumps or interstitial space indicative of potential release**
- **Visual inspection that indicates release may be occurring**
- **Or failed test**

UST SYSTEM CLOSURES

[RCSA 22a-449(d)-107]

Persons responsible for closure must have:

- **HAZWOPER certification with annual 8 hr 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)-1 AND 22A-449(D)-106]

- UST Facility Owner/Operator must immediately (within one hour) report confirmed releases to DEEP in accordance with RCSA 22a-450
  - **Suspected releases need to be reported too!**
  - **All releases from regulated USTs must be reported except for limited drips from nozzle during dispensing.**
- Company who is contracted to abate or remediate releases must be licensed spill cleanup contractor with valid permit issued pursuant to CGS 22a-454

RELEASES FROM FEDERALLY REGULATED USTS

[RCSA 22a-449(d)-106]

- UST Facility Owner/Operator must ensure that confirmed UST releases at their facilities are investigated and remediated
- UST Facility Owner/Operator must ensure that the information on the investigative and corrective action process are documented in reports
- Investigation and cleanup progress must be submitted to the DEEP on specified forms signed by LEP or PEP Underground Storage Tank Clean-Up webpage
- If remedial actions and post-remedial monitoring are not completed by timeframes in the regulation fees will begin to accrue (22a-449(d)-106(n)).

FORMS FOR INVESTIGATION AND REMEDIATION

[RCSA 22a-449(d)-106]

Form Type	Regulation	Due Date
Initial site characterization	22a-449(d)-106(f)(2)	30 days after release is confirmed
NAPL action	22a-449(d)-106(g)(3)	60 days after release is confirmed
Monitoring and progress status (quarterly)	22a-449(d)-106(l)	90 days after release is confirmed and every 90 days thereafter until certification of compliance
Completion of investigation	22a-449(d)-106(h)(2)(B)	30 days after the completion of the investigation
Remedial action plan	22a-449(d)-106(i)(1)(B)	30 days after submittal of completion of investigation form
Completion of remedial action	22a-449(d)-106(i)(3)(B)	90 days after remedial actions achieve compliance with soil criteria
Monitoring and progress status (certification of compliance)	22a-449(d)-106(i)(4)(B)	30 days after completion of post-remedial monitoring
Monitoring and progress status (supplemental remedial action)	22a-449(d)-106(k)(4)(B)	30 days after completing supplemental remedial actions

Report within 1hr

INITIAL ABATEMENT MEASURES

-immediately prevent further release

-monitor and mitigate hazards

-initial abatement of imminent hazards must be performed by a licensed spill cleanup contractor

Submit **Initial Site Characterization Form** within 30 days*

INITIAL SITE CHARACTERIZATION

-retain 454 contractor

-determine nature, degree, extent (or schedule for completing this)

-determine the presence of NAPL

-assemble specified site information

-submit form containing this information signed by PEP or LEP (EP)

Notification by Commissioner to Owner/Operator

-Commissioner retain review/approval of remaining corrective actions OR

-delegate (defer) that function to a PEP or LEP (EP)

AND

-whether a NAPL report will be required

AND

-if needed, provides a deadline for completion of extended Site Check

Submit **Monitoring & Progress Status Form (quarterly progress report)** within 90 days

PROGRESS REPORT

-signed by PEP or LEP (EP) whether delegated or retained

-submitted every 90 days until project completion

Submit **NAPL Action Form** within 60 days

NAPL REMOVAL REPORT

-signed by an PEP or LEP (EP)

*If NAPL persists or GW impact, MUST be an LEP

-retained unless requested by the DEEP

Submit **Completion of Investigation Form** within 30 days of completion of investigation

INVESTIGATION COMPLETION REPORT

-conduct soil & groundwater investigation

-report signed by an PEP or LEP (EP)

-retained unless requested by the DEEP

Submit **Remedial Action Plan Form** and Prepare within 30 days of submitting **Completion of Investigation Form**

REMEDIAL ACTION PLAN

-PEP or LEP (EP) must prepare and sign

-retain for non-DEEP-lead sites, except in the case of MNA

-The RAP report is required if MNA is the proposed remedial action or when requested by the DEEP

-provides schedule for completion (not including post-remedial monitoring)

Submit **Completion of Remedial Action Form** within 90 days from the completion of remedial actions

REMEDIAL ACTION REPORT

-signed by PEP or LEP (EP) unless GW impact, then must be LEP

Documents RSRs reached or describes any post-remedial monitoring

-polluter's fee - active remediation not complete

*if not complete in 12 mo, $1,000

*if not completed in 24 mo, $2,000

*if not complete in 36 mo, $3,000

*if not complete in 48 mo, $4,000

*at year 5 max out at $5,000 annually thereafter

Submit **Monitoring and Progress Status Form (completion of post-remedial groundwater monitoring)** with 30 days from the completion of monitoring

MONITORING REPORT

-signed sealed by LEP

Documents RSRs reached

-polluter's fee – after Completion of Remedial Action Form and until RSRs reached

*if not complete in 24 mo, $1,000

*if not compete in 36 mo, $2,000

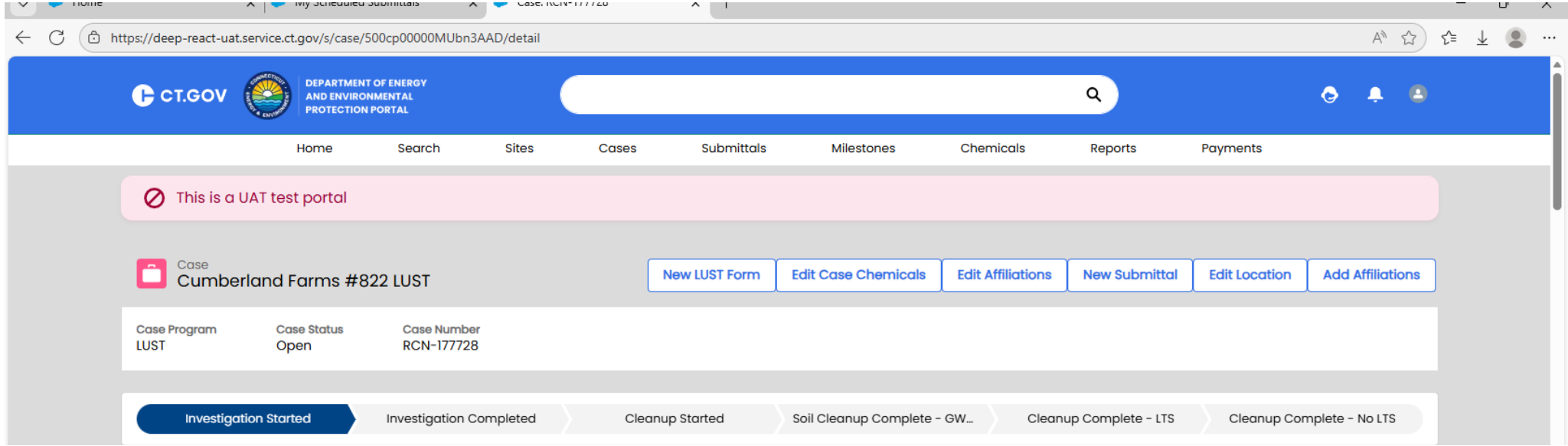
*if not complete in 48 mo, $3,000

*if not complete in 60 mo, $4,000

*at year 6 max out at $5,000 annually thereafter

RELEASE, ENVIRONMENT ASSESSMENT & CLEANUP TRACKER AKA “REACT”

- Documentation on the investigation and remediation of releases from all regulated UST systems and UST system components must be submitted through REACT (https://deep-react.service.ct.gov/s/)
- REACT has a smart form that pre-populates your submittal and updates the case’s record page upon submittal of that smart form



FEES ASSOCIATED WITH RELEASES FROM FEDERALLY REGULATED USTS [RCSA 22a-449(d)-106(N)]

During Investigation and Implementation of Remedial Actions

- Starts to accrue if a completion of remedial action form is not received within 1 year of the release discovery date

Fee payable on anniversary of discovery of release				
1 year	2 years	3 years	4 years	5 years+
$1000.00	$2000.00	$3000.00	$4000.00	$5000.00

FEES ASSOCIATED WITH RELEASES FROM FEDERALLY REGULATED USTS [RCSA 22a-449(d)-106(N)]

During Post-Remedial Actions

- **For releases discovered after May 7, 2025**
  - Fees start to accrue if a monitoring and progress status form certifying compliance with Section 22a-449(d)-106 and the Remediation Standard Regulation criteria is not received within 2 year of the release discovery date

Fee payable on anniversary of receipt of the remedial action form				
2 years	3 years	4 years	6 years	6 years+
$1000.00	$2000.00	$3000.00	$4000.00	$5000.00

- **For a releases discovered prior to May 7, 2025**
  - Fees start to accrue on May 7, 2027, unless compliance with Section 22a-449(d)-106 has been documented by the submittal of a monitoring and progress status form, or as approved by the commissioner, received by DEEP:

Post-Remedial Monitoring Fee Schedule				
May 7, 2027	May 7, 2028	May 7, 2029	May 7, 2030	May 7, 2031 and yearly there after
$1000.00	$2000.00	$3000.00	$4000.00	$5000.00

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 cathodically protected steel, or a flex connector made of steel	30 years
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 single-walled or double-walled tanks or piping that does not utilize continuous interstitial monitoring	30 years
Category 3A	(3) For double-walled tanks or double-walled 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 interstitial monitoring that does not monitor both the primary containment and secondary containment, such as a sensor in a dry space	40 years
Category 3B	(3) For double-walled tanks or double-walled 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 continuous interstitial monitoring that monitors both the primary containment and secondary containment such that the inner and outer walls are continuously monitored using technology such as inert gas, or liquid, or under constant vacuum (e.g., “brine”)	45 years
Category 4	(4) For tanks or piping constructed of any other material not identified in categories (1)-(3) above	15 years

A/B/C OPERATOR TRAINING REQUIREMENTS

[RCSA 22a-449(d)-108]

Clarified certification requirements for Class A, B, and C Operators and details level of responsibility of each Operator

Class C Operators now required to be trained by Class B Operator (as opposed to third-party)

- No approved third-party training programs

NEW On December 5, 2025, DEEP approved 7 Operator training programs

- Newly proposed programs incorporate new regulation changes
- Link to DEEP website to Table of Approved Courses and Exams for Class A and Class B Operators

*Current Operator certifications valid until expiration (2 years)

NOTIFICATION AND RECORDKEEPING

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

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

FINANCIAL RESPONSIBILITY (FR)

[RCSA 22a-449(d)-109]

All current Owners/Operators need to update their financial responsibility instruments to meet new language requirements (Aug 5, 2025)

NEW **3 options to secure FR for local governments in CT**

- **Local government bond rating**
- **Local government financial test**
- **Local government trust fund**

More stringent requirements

- Removed inconsistencies between policies and regulations
- Removed junk bond status from bond rating test
- Requires greater tangible net worth for companies

Requires notifications to DEEP of cancellations, substitutions, or non-renewals of instruments within 60 days

ADDITIONAL REQUIREMENTS
[RCSA 22a-6b-8]

Fees and Civil Penalties

- **Added cleanup fee schedule**
  - Up to $5,000
- **Civil Penalties Schedule, RCSA 22a-6b-8**
  - List of 13 - 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

FIELD INSPECTION & FIELD ENFORCEMENT

DEEP to issue Notice of Disabled UST Systems (Red Tag) for any substandard UST installation (post August 5, 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

All UST Owners/Operators expected to notify annually and maintain records to be made available immediately upon request during inspection, including:

- Timely passing annual/triennial secondary containment testing
- Proper qualifications and experience for UST installations, third-party inspections, release/remediation, and closure activities
- Completed and signed monthly/annual inspections
- Proper documentation of start-up testing, updated FR, current operator training records, etc.
- Emergency response guidelines posted at site

NEW Failure to notify or maintain records may result in enforcement, including the assessment of administrative civil penalties.

Connecticut inspects federally regulated facilities at least once every 3 years, or anytime by complaint!

KEY TAKEAWAYS / NEXT STEPS

✓Major Rewrite of UST Regulations / Performance Standards COMPLETED

Upcoming compliance deadlines:

- **Annual 3rd Party Inspections – May 6, 2026**
- **ALL Drop Tubes to be less than 6" from tank bottom – May 7, 2026**
- **Upgrade to interstitial monitoring for tanks & piping – May 7, 2027**

✓ UST Clean up / Corrective Action required by USEPA & COMPLETELY SEPARATE from DEEP's Release-Based Clean-up Regulations (RBCRs)

Noteworthy similarities/differences, include but not limited to:

- **Date of adoption of UST Regulations: May 7, 2025; RBCRs: May 16, 2025**
- **UST Regulations effective immediately with certain phased-in compliance dates**
- **RBCRs became effective on March 1, 2026**
- **UST regulations reference RSRs in RCBRs for UST Clean up/ Corrective Action end points**
- **Permitted Environmental Professionals**

✓DEEP to Submit State Program Authorization (SPA) Application to USEPA for State Program Delegation – Expected Spring/Summer 2026

Requires signatures by Governor and Attorney General to ensure adequate enforcement program and no less stringency than federal UST requirements

Questions?

*Licensing and Enforcement Unit (860) 424-3374, or by e-mail to DEEP.USTEnforcement@ct.gov.

*Corrective Action Unit (860) 424-3376, or by email to DEEP.LeakingUST@ct.gov.