



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
CT Bar Association, January 13, 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

1/13/2026

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- eliminating outdated standards; and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i. Eliminated Outdated References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
- **By November 3, 2025, 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

1/13/2026

Connecticut Department of Energy & 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 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

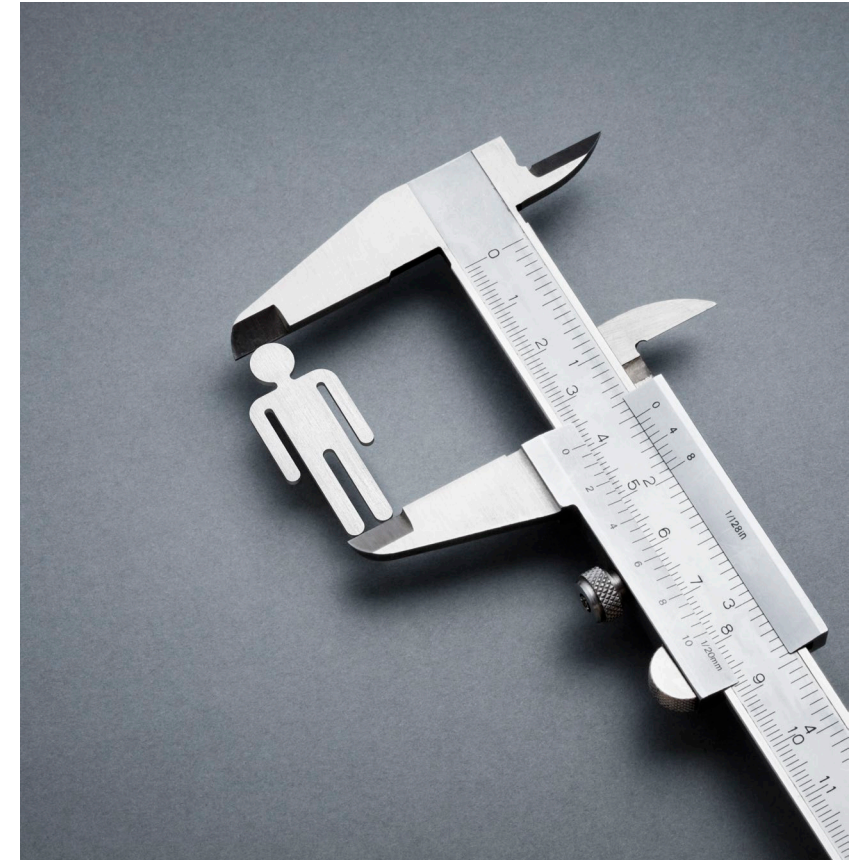
[RCSA 22a-449(d)-102]

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](#)

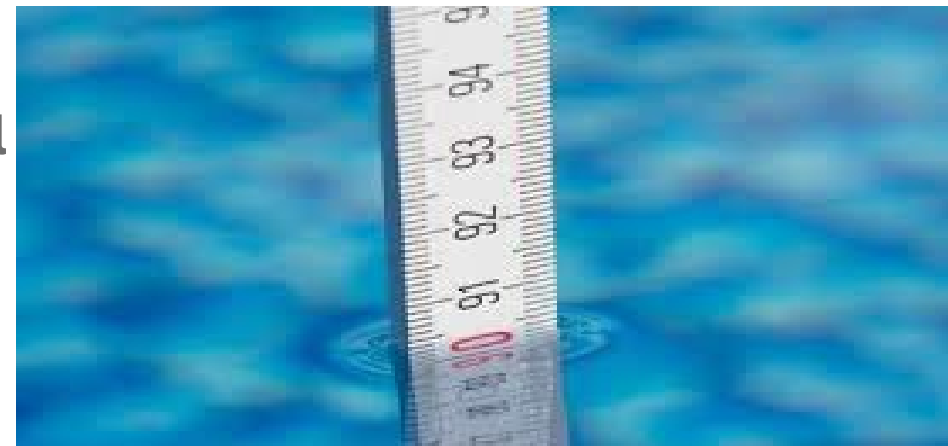
- **New** [Monthly inspection](#) must be conducted by **B Operators**
- **New** [Annual inspection](#) to be conducted by a **qualified third party**
- **New** [Monthly inspection](#) for temporarily out-of-service USTs
- **New** [Sump/spill bucket](#) repair or replacement form
- **New** [Weekly Inventory 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 overflow 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 complete 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

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 for 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 <u>cathodically protected steel, or a flex connector made of steel</u>	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 <u>single-walled or double-walled tanks or piping that does not utilize continuous interstitial monitoring</u>	30 years
Category 3A	(3) For <u>double-walled tanks or double-walled piping</u> 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 years
Category 3B	(3) For <u>double-walled tanks or double-walled piping</u> 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 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 (by Aug 5, 2025)

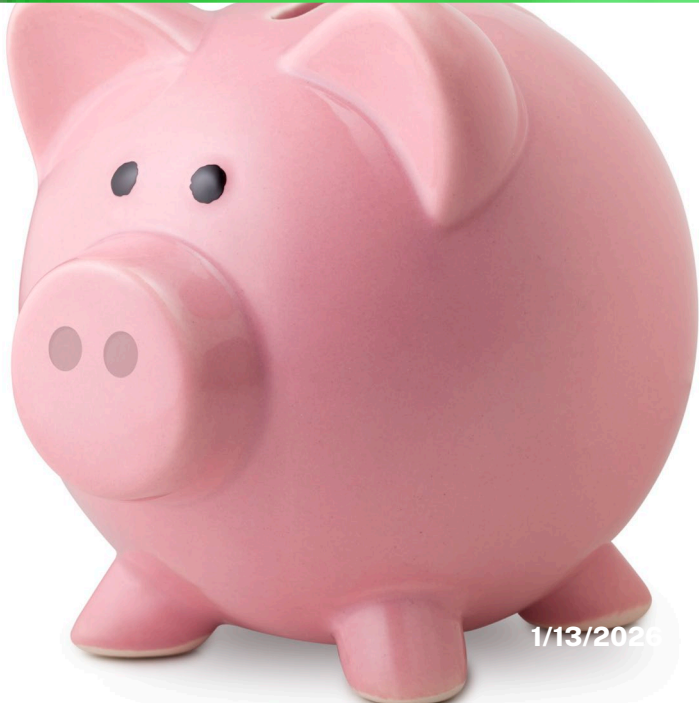
NEW 3 options to secure FR for local governments in CT

- 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



1/13/2026

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)



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 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

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 will 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 to become 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) to USEPA for State Program Delegation – Expected 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.