

UST Newsletter

Hazardous Materials Program
Waste Management and Prevention Division
Department of Environmental Conservation

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End of Year Summary

The Storage Tanks Section compiles data that corresponds to USTs throughout each federal fiscal year (FFY), which runs from October 1st through September 30th. These figures document the UST universe in Vermont and include the number of UST facilities as well as the specific number of tanks. The count of state-led inspections and compliance rates are also recorded. We make this information available to the public annually. If you are interested, you may access the [UST End of Year Summary](#) via our [Underground Storage Tanks \(USTs\)](#) webpage. In this issue of the newsletter, we want to share the main takeaways from the UST End of Year Summary for FFY 2024 and compare them to the data from the previous couple of years. As shown in Table 1 on the following page, this year-over-year analysis helps us consider statewide trends and allows us to think about the future of UST activity in our state.

KEY TAKEAWAYS

Over the course of FFY 2024, our team inspected 259 of the 772 total UST facilities (those with category one tanks (COTs)) in Vermont. At the end of the year, there were 1,570 tanks in Vermont. We observed that the total number of both UST facilities and tanks has decreased slightly each year since FFY 2022. This is mostly due to the removal of out of service tanks and also efforts by the Storage Tanks Section to update the State's database to accurately reflect the UST universe. The decrease in tanks over time is largely due to an increase in multicompartment tanks; while there are currently 1,571 tanks, there are 2,117 unique compartments. Regarding compliance rates over the three-year timeframe, we are pleased to share that compliance is generally increasing over time; the combined technical compliance rate increased significantly from a low of 52% to 82%. Similarly, compliance with regulatory requirements for spill prevention, overfill prevention, operator training, financial responsibility, and walk-through inspections increased (or stayed level, in one case) since FFY 2022. We did, however, observe minor decreases in compliance regarding corrosion prevention and release detection. Overall, we are pleased to see that facilities are increasingly meeting the requirements of the [Vermont UST Rules](#).

Table 1. Comparison of UST End of Year Summaries from FFY 2022 through FFY 2024

Measure	FFY 22	FFY 23	FFY 24
Total UST Facilities (Open and Out of Service)*	833	784	772
Total UST Facilities Inspected	300	246	259
Total USTs**	1,626	1,599	1,579
<i>Compliance Rates</i>	<i>green = increase red = decrease</i>		
Spill Prevention	67%	87%	97%
Overfill Prevention	58%	87%	97%
Corrosion Prevention	98%	96%	95%
Combined Technical Compliance Rate	52%	77%	82%
Weekly Release Detection Requirement	93%	92%	89%
Operator Training	97%	98%	99%
Financial Responsibility	85%	98%	99%
Monthly Walk-through Requirement	86%	89%	89%

*The decrease is largely due to removal of out of service tanks and updates to State UST database.

**The decrease in tanks is largely due to an increase in multicompartment tanks.

We hope to see continued improvement in compliance rates as we conduct inspections over the next year. If you are unsure whether you are going to be inspected, please be aware of the [UST Inspection List for Permitted Tanks](#) found on our website. This lists the inspections that will be conducted in the current FFY. We also encourage you to refer to the [UST Compliance Inspections Guide](#). The guide and many other assistance resources are available on our [Keeping Your UST Facility in Compliance](#) webpage. Refer to the final section of this newsletter for more information on our guidance resources. If you have any questions about the UST End of Year Summary or the requirements of the UST Rules, please contact us using the information at the end of this newsletter. ●

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Financial Responsibility Refresher

The Financial responsibility for USTs refers to the legal and financial obligations that owners/operators of UST systems must fulfill to ensure they can cover the costs of cleaning up environmental contamination or compensating third parties for damages caused by releases of hazardous materials. Meeting specific financial responsibility requirements is required under the [Vermont UST Rules](#), and the large majority of UST facilities in Vermont meet these requirements by paying into the State Petroleum Cleanup Fund (PCF). We realize the rules may be difficult to understand, and with this in mind, we want

to offer an overview of the key points related to financial responsibility that are established in the regulations. Please note that this is a summary; you should refer to the rules for specific requirements.

OVERVIEW OF REQUIREMENTS

All permittees of category one storage tanks in Vermont are required to demonstrate financial responsibility, as are owners of out of service tanks. This is the case for facilities of all sizes and types with category one tanks, including municipalities; USTs owned and operated by municipalities are not exempt from these requirements.

The majority of regulated USTs in the state contain petroleum products. Tanks containing petroleum products with an average monthly throughput of 10,000 gallons or less require financial assurance of at least \$500,000 per occurrence (i.e., release); tanks with a higher average monthly throughput require \$1 million per occurrence. For tanks that contain hazardous materials, the amount of financial assurance per occurrence is determined by the Secretary based on the risk associated with a release of the material being stored.

The large majority of UST permittees in Vermont are permitted for 100 or fewer tanks and are required to maintain an annual aggregate of \$1 million of financial assurance. Those that are permitted for more than 100 tanks must maintain an annual aggregate of \$2 million. For tanks that contain hazardous materials, the required annual aggregate is determined by the Secretary based on the risk associated with a release of the material being stored. Refer to Table 2 for a summary of the required amounts of financial assurance.

“While many options exist, the large majority of UST owners/operators pay into the PCF. Payments are due annually by October 1st, and the Storage Tanks Section does not allow extensions for payments past the due date.”

Table 2. Required Amount of Financial Assurance Based on Tank/Permittee

Tank/Permittee	Required Financial Assurance (\$ Per Occurrence)	Required Financial Assurance (\$ Annual Aggregate)
Tank: Avg. monthly throughput 10,000 gals. or less petroleum	\$500,000	
Tank: Avg. monthly throughput greater than 10,000 gals. petroleum	\$1 million	
Tank: hazardous materials	Determined by Secretary	Determined by Secretary
Permittee: 100 or fewer tanks		\$1 million
Permittee: More than 100 tanks		\$2 million

There are many ways for UST owners/operators to establish financial responsibility, including one or a combination of the following: payments to the State Petroleum Cleanup Fund (PCF), qualification as a self-insurer, guarantee, surety bond, letter of credit, insurance, risk retention pool, trust fund, standby trust fund, or any other mechanism approved by the Secretary. While many options exist, the large majority of UST owners/operators pay into the PCF. Payments to the PCF are due annually by October 1st, and the Storage Tanks Section does not allow extensions for payments past the due date.

Be aware, particularly if you are on the schedule for an inspection, that UST facility operators are required to maintain documentation of their financial responsibility mechanism(s) within the state. This

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information is reviewed annually when submitted prior to the October 1st deadline, and it is also reviewed as part of UST compliance inspections. Operators should note that if the Storage Tanks Section asks a facility to provide such documentation, be it for an inspection or any other reason, it must be made available within 24 hours. Owners of out of service tanks are also required to maintain financial responsibility.

For more information on financial responsibility, refer to the booklet developed by the U.S. Environmental Protection Agency (EPA), titled, [Dollars and Sense: Financial Responsibility Requirements for USTs](#). This 14-page booklet provides a plain language summary of UST owner/operator financial responsibilities under federal UST regulations. If you have any questions about financial responsibility requirements in Vermont, please contact Wendy Edwards by phone: (802) 522-0261, or via email: wendy.edwards@vermont.gov. •

Keep an Eye Out

PREPARING YOUR UST FACILITY FOR WINTER

With the beginning of winter upon us, we thought it would be helpful to remind UST owners/operators to ensure that your facility is adequately prepared. The Storage Tanks Section recommends checking your secondary containment equipment (e.g., spill buckets, sumps) to ensure that they are free of liquids. If liquid freezes inside of secondary containment, we recommend avoiding the use of salt or ice melt and avoiding chipping at ice with sharp tools, as this activity can damage secondary containment features. You should also be sure that containers of liquid associated with UST testing and maintenance (e.g., drums of liquid used to conduct hydrostatic testing) are either protected from freezing or transported offsite. We recommend checking your UST system sensors prior to and throughout winter,

as electrical components are put under stress in colder weather. Spill kits should be staged in an area that will not become inaccessible from snow accumulation or interfere with snow plowing equipment. On a broader housekeeping note, it is a good idea to keep brooms and shovels available to remove snow around UST-related equipment. It is best to avoid plowing on tank pads, as doing so may accidentally remove lids to manways and bury them in snowbanks.

SIMPLE SUCTION SYSTEM OPERATOR GUIDANCE TO BE UPDATED IN 2025

Please be aware that the Storage Tanks Section is in the process of reviewing and updating the [Training Manual](#) for simple suction system operators that is accessible on our [UST Owner/Operator Training](#) webpage. If you have used this manual before and would like to provide us with any feedback that we should consider as we update the manual, we encourage you to contact us using the information at the end of this newsletter. We are especially interested in hearing whether you experienced problems using the manual or whether there are aspects of the manual you have found particularly useful. While we expect that the revised training manual will be made available in 2025, we do not know the specific date at this time; we will use this newsletter and our distribution list to let you know when it is ready for use. On a related note, if you have used the State of Maine's TankSmart manual and test, please be aware that they are also in the process of making updates to this information.

FLOOD AWARENESS

While many areas of Vermont were impacted by flooding during the summer of 2024, we are glad to share that no UST releases were reported with these events. On July 10, 2024, the Storage Tanks Section sent an email to our distribution list prior to what amounted to significant flooding the following day. This message was sent following the activation of the State Emergency Operations Center (SEOC). Per our emergency response plan, we send this email one day prior to the activation of the SEOC or as soon as it is announced that the SEOC will be activated due to forecasted flooding. We hope that you received the message and found the information useful. Please let us know if anyone should be added to our distribution list. In the meantime, please refer to the [Flood Guide](#) for UST facilities developed by EPA.

KEEPING YOUR FACILITY INFORMATION CURRENT

We would like to emphasize a point we made in the last issue of the newsletter: our mailed correspondences, including official letters and permit renewal applications, are being returned to us as undeliverable at a higher rate than usual. This is because many facilities are not keeping their information up to date. If you received a UST permit renewal form this year, you may have noticed a reminder to ensure that the information the Storage Tanks Section has on file for your facility including mailing address, email, and phone number is current. Please ensure that the information that the Storage Tanks Section has on file for your facility is accurate, as we have inspected several facilities over the past year that have had the wrong address on file, even though they were up to date with their permits. Please let Wendy Edwards know if your information has changed or if you plan to change it. Wendy is the Storage

Tranks Section's point of contact for managing this information, and she may be reached by phone: (802) 522-0261, or email: wendy.edwards@vermont.gov. •

New Guidance Resources

If you have not already done so, please bookmark our [Keeping your UST Facility in Compliance](#) webpage. We use the webpage along with this newsletter to share UST-related compliance assistance resources, testing forms, sample checklists/logs for use at UST facilities, and more. If you have any questions about the information on the website, please contact us using the information at the end of the newsletter. We are happy to share that we are developing a new fact sheet; please see below.

MANAGING WASTE FROM HYDROSTATIC TESTING

If you are a regular reader of our newsletter, you probably saw the summary of “Dispenser Sump Testing and Repair” in the [July 2024 issue](#). This article provided an overview of the requirement to conduct tightness testing of UST secondary containment equipment and covered how to prepare for and conduct a hydrostatic test—the most common method of tightness testing in Vermont. We also stated that conducting this type of test *may result* in the generation of hazardous waste. If a sump contains fuel or other hazardous material, the water may become contaminated through the process of conducting the test. Additionally, any absorbent materials used to clean and dry sumps prior to testing may also become contaminated. The Storage Tanks Section continues to receive questions from facilities about proper waste management following hydrostatic testing, and we are developing a new fact sheet on this topic. This fact sheet is expected to be completed within the next few weeks and will be made accessible via the [Keeping your UST Facility in Compliance](#) webpage. •

Language Access Notice

Questions or Complaints/Free Language Services | SERVICES LINGUISTIQUES GRATUITS | भाषासम्बन्धी निःशुल्क सेवाहरू | SERVICIOS GRATUITOS DE IDIOMAS | 免費語言服務 | BESPLATNE JEZIČKE USLUGE | БЕСПЛАТНЫЕ УСЛУГИ ПЕРЕВОДА | DỊCH VỤ NGÔN NGỮ MIỄN PHÍ | 無料通訳サービス | ነጻ የቋንቋ አገልግሎቶች | HUDUMA ZA MSAADA WA LUGHA BILA MALIPO | BESPLATNE JEZIČKE USLUGE | አገልግሎት ገለጻጻጽ፡ ገለጻጻጽ ለሁሉም፡ | ADEEGYO LUUQADA AH OO BILAASH AH | خدمات لغة مجانية:

anr.civilrights@vermont.gov or 802-636-7827.

The Storage Tanks Section hopes that by providing translation services to facility operators who speak a language other than English as their native language, we will be able to improve understanding of the regulations that govern UST facility operations and also increase compliance with Vermont's UST Rules. To access ANR's free translation service, please visit the [ANR Language Services](#) webpage. •

FOR MORE INFORMATION PLEASE CONTACT:

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<https://dec.vermont.gov/waste-management/storage-tanks>

