

INSTRUCTIONS TO COMPLETE THE UNDERGROUND STORAGE TANK (UST) FORM

To begin, you must establish if it is necessary to register your tank with the Agency of Natural Resources (ANR). **USTs of any size containing gasoline, diesel, fuel oil, kerosene, used or new oil, and chemicals must be registered, as well as out of service tanks.** However, there are exceptions. The following types of USTs DO NOT need to be registered:

- Fuel oil (#2-6) USTs less than 1100 gallons in size that are used *exclusively* for on-premises heating and domestic hot water at structures not classified as "Public Buildings" i.e. a single-family house.
- Farm or residential USTs containing motor fuel for non-commercial purposes that are smaller than 1100 gallons.

Next, determine if an Agency issued permit is required to operate the tank. You are required to have a permit for all registered USTs, with the following exceptions:

- USTs containing fuel oil and utilized solely for on-premises heating and domestic hot water.
- Farm and residential USTs containing motor oil for non-commercial purposes.
- Permanently out of service USTs

Once the status of your registration and permitting requirements has been established, you will need to complete the appropriate sections of the UST Form. The following sections describe the applicable fees and form components, and contain brief descriptions of what is necessary depending on your registration and permitting needs.

FEES

The following is a list of fees that apply with UST Form submission:

- For **EACH** completed UST Form Part 1, a \$10.00 recording fee is due. A check should be made payable to the town/city in which the facility is located **-but-** should be sent to the ANR along with the completed form.
- A permit fee \$125.00 per tank is also due with each permit application. Checks should be made payable to **"Treasurer, State of Vermont"**.
 - Please note that municipalities are exempt from payment of permit fees.

REGISTRATION INSTRUCTIONS

To register USTs the following parts of the UST Form must be completed:

PART I - Tank Ownership Form. 1 page, the second page is left intentionally blank.

Tank ownership
Tank operator
Contact person
Permittee (APPLICABLE ONLY TO PERMITTED USTS)
Tank/facility location – 911 street address required and number of tanks
Type of facility
Type of water supply
Landowner
Selected mode of financial responsibility (APPLICABLE ONLY TO PERMITTED USTS)
Site contamination history (if applicable)
Certification: signed and dated
Only Part I of the UST Form is recorded in the land records.

PART II - Tank Information Form 2 pages.

Requires tank-specific information. Information for up to three USTs or three compartments can be entered on one Part II; attach additional tank information pages for more than three tanks or three compartments. A tank with two compartments would be listed on two columns, the first column would be Tank 1A and the second column would be listed as Tank 1B.

PART III Tank Information Form 1 page.

Sketch of Tank Facility: Should depict the locations of all USTs, and include estimated distances to road centerlines, buildings, streams, and other important landmarks. If applicable, locations of any groundwater monitoring wells should also be incorporated. Professional drawings are accepted.

PARTS IV and V - Local Information and Summary of Construction 1 page.

Applies to permitted tanks. These Parts must be completed if applying for a construction or a substantial alteration construction permit. Construction permit is needed for: new tank installation, replacement of tank and/or piping, upgrade of existing tank system when the top of the tank and/or any portion of the piping is to be revealed.

In addition, to obtain a Construction or Operating permit for a new or not previously permitted tank the following items must be supplied:

Town Highway Map

Exact facility location should be marked with an "X".

Demonstration of Financial Responsibility

Any owner or operator of a permitted UST must provide to the ANR evidence that they are financially capable of taking any action in the event of a product release from the tank system. Financial responsibility can be satisfied by procuring one of the following:

- 1) Certificate of Insurance for Pollution Liability coverage in the amount of \$1 million for on-site corrective action and \$1 million for third-party claims
- 2) Proof of self-insurance in the form of a financial statement
- 3) Application to participate in the Vermont Petroleum Cleanup Fund by payment of the applicable assessment fee.

SPECIFIC REQUIREMENTS

New Facility

For a new facility with one or more USTs that have not yet been registered, the entire UST form must be completed, including a sketch of the tank facility (Part III), and if a permitted tank inclusion of a town highway map, and demonstration of financial responsibility. Please note that if you are not insured, a check for the appropriate assessment fee, made payable to the "State of Vermont" is also due at the time of form submission. Permit fee and town clerk recording fee is also required to accompany the form.

Previously Unregistered Existing Facility

If you are completing the UST Form for an existing facility that has not previously been registered with the ANR, the requirements are the same as those for a new facility. Please see the previous section for specifics.

Change of Ownership

Registered Tank only - When ownership has been transferred to a new party, the ANR must be notified within 30 days, and the UST form PART I only must be completed.

Permitted Tank - For uninterrupted service of the tanks the Buyer should before the closing submit to the ANR a UST Form PART I together with the permit fee and town clerk fee and obtain an operating permit issued by the ANR. The Buyer must note on the UST Form PART I their selected method of financial responsibility.

Replacement of Existing Exempt USTs

When replacing a non-permitted tank, both the UST Form PART I and the Tank Information Form (PART II and III) must be completed in full. You need only to record the new UST, *do not* record the UST that was removed.

Replacement of Existing Permitted Tanks and/or Product Lines

In the instance of permitted tanks and/or product line replacement, it is necessary to complete PARTS I – V of the UST Form. The UST Form PART I should be updated appropriately, including the updated number of tanks at the facility. The Tank Information Form (Part II and III) should be completed for the new tanks/product lines AND any existing USTs remaining following construction. *Do not* record the USTs or product lines that were removed. List of Attachments and Project summary (Parts IV and V) complete with information as to the proposed construction.

Please note that for a one-to-one replacement, no additional permit fees are required. However, permit fees are due for any tanks additional to those previously existing at the facility. If the facility is not insured, the assessment fee is also due at the time of form submission. Tank replacement or the addition of a tank will require the Form to be recorded in the land record. Check to the municipality is required to cover the recording fee of \$10.00.

Once completed, the signed, dated forms and all applicable fees should be submitted to:

**ANR DEC Waste Management & Prevention Division
Tank Storage Program, 1 National Life Drive, Davis 1
Montpelier, VT 05620-3704**

Should you have any questions, do not hesitate to call the UST staff at **(802) 828-1138** or **802-522-0231**
Every effort will be made to assist you in the completion of your UST Form.

Penalties

Title 10 V.S.A. Section 1935(b) provides for civil penalties not to exceed \$10,000 per UST per day for any tank owner or operator who violates any provision of the UST Regulations, including Terms and Conditions of any Order or Permit issued by the Secretary of the Agency of Natural Resources.