



Residential Heating Oil Underground Storage Tanks

State of Rhode Island UST Management Program

Questions about heating oil underground storage tanks at residences are some of the most commonly asked questions received by the Underground Storage Tank Program. If you know a little about your house and your UST, this fact sheet should be able to help answer most of the questions you will have about owning, selling, or buying a property with a residential heating oil tank.

Do I have a UST?

A tank is only considered to be a UST if it is buried underground and all sides are inaccessible. Therefore, a tank directly buried in soil, or a tank encased in a concrete vault, are considered USTs, but a tank in a basement which is readily accessible is **not** considered a UST;

Is it Regulated?

In most cases, underground storage tanks containing heating oil at private residences are **not** regulated by the Department of Environmental Management. However, the following important exceptions to this apply:

- If there has been any release of heating oil from the UST, DEM must be informed and may require remediation
- If the UST is connected to 3 or more residential units (e.g., apartment or condo units), then it is regulated and the UST Regulations apply;
- If the UST is 1,100 gallons or larger it is regulated and the UST Regulations apply;
- If the UST contains gasoline, kerosene, diesel, motor oil, waste oil, or any substance other than heating oil, it is regulated;

 Your Town/City or local fire department may regulate USTs at residences—Always check with City building officials

My tank isn't regulated—what does that mean?

If your residential heating oil tank is not regulated by the DEM UST Program, then you are not required to perform routine testing, receive prior approval from DEM to remove or close the underground storage tank, register the UST with DEM, or obtain approval prior to installing a new UST. You are generally free to operate the UST as you wish and are not subject to many of the requirements of the UST regulations. The only exception to this is that you are still responsible for reporting and cleaning up any releases from the UST system, and are liable for all cleanup costs.

How do I know if a residential property has a UST?

DEM does not require residential USTs that < 1,100 gallons containing heating oil to be registered, and as such, DEM cannot tell you if a residential property contains a UST.

If you suspect a property contains a UST, we suggest hiring an environmental professional to perform an investigation

I'm interested in a property with a UST, but I don't know how big the UST is!

DEM cannot provide any specific advice or guidance on purchasing properties. However, as the tank volume is a important characteristic and can make the difference between the UST being regulated and not being regulated, you should hire a someone with experience evaluating USTs to determine the exact size of the tank so you know what you need to do to comply with applicable laws and regulations



If I no longer use the UST, can I abandon it in place?

If your residential heating oil tank is not regulated by the DEM UST Program, there is no prohibition against simply leaving the UST in the ground. However, you should be aware that this is a risky practice for several reasons:

- Empty tanks tend to accumulate water, which accelerates corrosion and can cause the tank to collapse causing property damage and potentially personal injury or death;
- If a UST remains in place, there is potential for accidental deliveries to be made. This may result in heating oil being released directly into the subsurface environment and causing a substantial cleanup bill;
- USTs typically contain 1—6” of “sludge” at the bottom of the tank that can only be removed via professional environmental firms. Over time this sludge and accumulated water tend to corrode and release this material, causing environmental contamination, large clean-up bills, and the potential to contaminate drinking water supplies.
- Abandoned USTs are seen as a risk by home buyers, lenders, and insurance companies, and in order to sell the property, obtain a mortgage, or insurance, you may need to permanently close and remove the UST;

Am I required to remove the UST when buying or selling a property?

There is no regulation or requirement to test, remove or close a residential UST <1,100 gallons when the property is being sold or transferred to a new owner. However, many buyers and lenders are hesitant to invest in residential properties containing USTs due to the contamination risk, and many have found their properties sell faster and for more money if the UST is removed and proven to not have leaked. However, this is a decision the owner must make. Please be aware that Rhode Island law requires the seller to disclose to the buyer that a UST exists on the property anytime there is a transfer of ownership.

What do I need to do to remove a residential heating oil UST?

As long as the UST is not regulated by RI DEM, the UST program typically does not get involved in the removal and closure process of residential USTs unless a release is discovered. However, we still recommend that owners hire experienced and licensed contractors to perform the work, and also hire an environmental consultant to take samples of the soil to ensure that no release has occurred. This can make the property easier to sell or obtain a mortgage if you can prove that the UST was removed and no release occurred. We have seen instances where residential USTs were removed by unqualified individuals and significant damage to the property resulted, or the property owner later had difficulty selling the property or obtaining a mortgage because there was no documentation that the UST was removed correctly and that no release had occurred. In the long run it is always less expensive to do it correctly and document no release has occurred, however, every owner should evaluate their goals and needs and make their own decisions.

Can I fill a residential UST with sand or concrete?

As above, as long as the UST is not regulated by RI DEM, the UST program typically does not get involved in the removal and closure process of residential USTs unless a release is discovered. However, filling a UST with sand, concrete, or another inert material is called a closure in place, and can be a valid way to close a UST. However, it is important that the tank is thoroughly cleaned to remove the sludge buildup by a professional prior to filling it with the inert material. However, the presence of a closed in place UST at a residence can make the property difficult to sell or obtain a mortgage, and we have seen cases where owners have decided to remove a UST that was previously closed in place in order to sell the property. As you can imagine, a tank filled with concrete or sand is much heavier and more difficult to remove than an empty tank, and significantly more expensive. So while filling a residential UST with sand or concrete is an option, it is a decision that the homeowner must consider carefully.

I think my residential heating oil tank may be leaking. What should I do?

For immediately hazardous situations where the UST has been overfilled, leaking large volumes, or fuel is entering homes, or for leaks involving basement tanks or aboveground tanks, call the DEM Emergency Response hotline at (401) 222-3070. Otherwise, call the DEM UST program at (401) 222-2797 for guidance on next steps.

If you have questions on residential heating oil USTs, please contact our office at

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