
40 C.F.R. § 282.95

Vermont State-Administered Program.

- (a) The State of Vermont is approved to administer and enforce an underground storage tank program in lieu of the Federal program under Subtitle I of the Resource Conservation and Recovery Act of 1976 (RCRA), as amended, 42 U.S.C. 6991 *et seq.* The State's program, as administered by the Vermont Department of Environmental Conservation (VT DEC), was approved by EPA pursuant to 42 U.S.C. 6991c and 40 CFR part 281. EPA approved the Vermont program on January 3, 1992, which was effective on February 3, 1992.
- (b) Vermont has primary responsibility for administering and enforcing its federally approved underground storage tank program. However, EPA retains the authority to exercise its inspection and enforcement authorities under sections 9005 and 9006 of Subtitle I of RCRA, 42 U.S.C. 6991d and 6991e, as well as under any other applicable statutory and regulatory provisions.
- (c) To retain program approval, Vermont must revise its approved program to adopt new changes to the Federal Subtitle I program which makes it more stringent, in accordance with section 9004 of RCRA, 42 U.S.C. 6991c and 40 CFR part 281, subpart E. If Vermont obtains approval for the revised requirements pursuant to section 9004 of RCRA, 42 U.S.C. 6991c, the newly approved statutory and regulatory provisions will be added to this subpart and notification of any change will be published in the Federal Register.
- (d) Vermont has final approval for the following elements of its program application originally submitted to EPA and approved effective February 3, 1992, and the program revision application approved by EPA, effective on September 12, 2022.
- (1) *State statutes and regulations* — (i) *Incorporation by reference.* The material cited in this paragraph, and listed in Appendix A to this part, is incorporated by reference as part of the underground storage tank program under Subtitle I of RCRA, 42 U.S.C. 6991 *et seq.* (See § 282.2 for incorporation by reference approval and inspection information.) You may obtain copies of the Vermont regulations and statutes that are incorporated by reference in this paragraph from Ted Unkles, UST Program Manager, Vermont Department of Environment Conservation, 1 National Life Drive; Davis 1 Montpelier VT 05620-3704; Phone number: 802-522-0488; ted.unkles@vermont.gov; Hours: Monday to Friday, 8:00 a.m. to 4:30 p.m.; link to statutes and regulations: <https://legislature.vermont.gov/statutes/chapter/10/059>; <https://legislature.vermont.gov/statutes/chapter/10/159>; <https://dec.vermont.gov/sites/dec/files/wmp/UST/UST-Rules.pdf>; https://dec.vermont.gov/sites/dec/files/wmp/Sites/0706.IRULE_.pdf.

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