



# State of Connecticut

## Department of Environmental Protection



### Aquifer Protection Area Program Regulated Land Use Activity Table<sup>1</sup>

Regulated Activity	Inclusions / Exceptions	Typical Land Use <sup>2</sup>	Activity/Chemical of Concern
Underground Storage or Transmission of Oil, Petroleum or Hazardous Material RCSA §22a-354i-1(34)(A)	Includes all except: 1. Activities pre-empted by federal law (pipelines, etc.) 2. An underground storage tank that contains #2 fuel oil and is located more than 500 feet from an APA well 3. Underground electrical facilities such as transformers, breakers, or cables containing oil for cooling or insulation purposes which are owned and operated by a public service company	Gas station, automotive or fleet garage, misc. businesses	Act. – Tank, pipeline or joint leaks or breaks  Chem. – liquid fuel hazardous material
Oil or Petroleum Dispensing RCSA §22a-354i-1(34)(B)	Includes all retail, wholesale or fleet use except above-ground storage of <2000 gallons, subject to conditions – see RCSA §22a-354i 5(c)(6)	Gas station, automotive or fleet garage, fuel oil dealers, misc. businesses	Act. – Leaks, drips, tank ruptures  Chem. – Hydrocarbons, benzene and other contaminants
Wholesale Hazardous Materials RCSA §22a-354i-1(34)(C)	Includes all on-site storage of hazardous materials for the purpose of wholesale sale	Chemical warehouses, bulk storage facility, tank farm	Large volumes of various materials and products handled, stored and distributed that might contaminate groundwater as a result of accidents, poor management practices, flooding or fires. Solvents, organic and inorganic chemicals, and hydrocarbon contamination threats

<sup>1</sup> Please note that the intent of this table is to provide guidance, therefore the language of the regulation is simplified for ease of use. See Regulations of Connecticut State Agencies (RCSA) Section 22a-354i-1 for specific language.

<sup>2</sup> This is not an exhaustive list of land uses, just examples of the types of land use to clarify categories.

Regulated Activity	Inclusions / Exceptions	Typical Land Use <sup>2</sup>	Activity/Chemical of Concern
Vehicle Repair or Maintenance RCSA §22a-354i-1(34)(D)	Includes all repair or maintenance of vehicles or internal combustion engines of vehicles, involving the use, storage or disposal of hazardous materials, including solvents, lubricants, paints, brake fluids, transmission fluids or the generation of hazardous wastes	Auto service, car dealers, auto body repair, aircraft repair, boat or marine dealer repair, fleet or municipal garage, marine, recreational, motorcycle dealer, construction equipment repair or rental, tractor and lawn mower repair, and related uses.	Act. – Fuel storage, use and storage of oils, paints, thinners, various solvents, brake and transmission fluids.  Chem. – Hydrocarbons, solvents, benzene
Salvage Operations RCSA §22a-354i-1(34)(E)	Includes all salvage operations of metal or vehicle parts	Junk yards, salvage yards	Act. – Fuel storage, use and storage of oils, paints, thinners, various solvents, brake and transmission fluids.  Chem. – Hydrocarbons, solvents, benzene
Non-Domestic Wastewater Discharges to Ground RCSA §22a-354i-1(34)(F)	Includes all except: 1. domestic sewage 2. stormwater (see BMPs) 3. the following if have a DEP discharge permit: (i) a pump and treat system for ground water remediation, (ii) a potable water treatment system, (iii) heat pump system, (iv) non-contact cooling water system, or (v) swimming pools	Misc. industrial businesses or commercial service facilities	Act. – Discharge of non-biodegradable waste To groundwater  Chem. – Persistent organic and inorganic compounds
Chemical Production RCSA §22a-354i-1(34)(H)	Includes all production or refining of chemicals, including hazardous materials or asphalt	Chemical, petroleum, asphalt, pesticide manufacturers	Act. – Storage, use & production of chemicals, equipment cleaning and maintenance, hazardous waste generation  Chem. – Organic and inorganic chemicals
Clothes or Cloth Cleaning Service RCSA §22a-354i-1(34)(I)	Includes clothes or cloth cleaning services which involves the use, storage or disposal of hazardous materials, including dry-cleaning solvents	Dry cleaners	Dry cleaning solvents, storage, use, and disposal. Industrial strength cleaning solvent/agents.

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Power Generation RCSA §22a-354i-1(34)(K)	Includes all generation of electrical power by means of fossil fuels except generation: 1. by an emergency engine (as defined in section 22a-174-22(a)(3) of the R.C.S.A.) 2. by means of natural gas or propane	Power plants	Risks associated with fuels storage /use, large quantities of waste generation, machine shops, equipment maintenance
Electrical, Electronics Production RCSA §22a-354i-1(34)(L)	Includes production of electronic boards, electrical components, or other electrical equipment involving the use, storage or disposal of any hazardous material or involving metal plating, degreasing of parts or equipment, or etching operations	Electrical equipment or electronics manufacturer	Act. - Storage and use of hazardous material, hazardous waste generation, equipment cleaning and maintenance, machine shops  Chem. - heavy metals, chlorinated solvents, strong acids and alkalis, paint and thinner wastes and waste oils
Furniture Stripping RCSA §22a-354i-1(34)(N)	Includes furniture stripping operations which involve the use, storage or disposal of hazardous materials	Furniture strippers	Act. - General use of cleaning solvents, hazardous materials  Chem. - chlorinated solvents
Hazardous Waste Storage, Treatment or Disposal Facility RCSA §22a-354i-1(34)(P)	Includes all storage, treatment or disposal of hazardous waste subject to a permit under sections 22a-449(c)-100 to 22a-449(c)-110, inclusive, of the R.C.S.A.	Hazardous waste storage, treatment or disposal facility	Act. – Spills, leaks, and possible leachate from storage and processing of wastes  Chem. – various potential organic and inorganic contaminants
Pest Control Services RCSA §22a-354i-1(34)(R)	Includes pest control services which involve storage, mixing or loading of pesticides or other hazardous materials	Lawn care, pest control services	Act. - Storage & mixing of chemicals, equipment cleaning, equipment fueling and maintenance  Chem. – various pesticides

Regulated Activity	Inclusions / Exceptions	Typical Land Use <sup>2</sup>	Activity/Chemical of Concern
Production or Fabrication of Metal RCSA §22a-354i-1(34)(T)	Includes production or fabrication of metal products which involves the use, storage or disposal of hazardous materials including (i) metal cleaning or degreasing with industrial solvents, (ii) metal plating, or (iii) metal etching	Metal foundry, finisher, machine shop, fabricator, plator	Act. - Storage and use of hazardous material, hazardous waste generation, equipment cleaning and maintenance, machine shops  Chem. – heavy metals, chlorinated solvents, strong acids and alkalis, waste oils, phenols, PCB's, Cyanides
Printing RCSA §22a-354i-1(34)(U)	Includes printing, plate making, lithography, photoengraving, or gravure, which involves the use, storage or disposal of hazardous materials	Printer or publisher	Act. – Storage and use of ink chemicals, equipment cleaning, engraving  Chem. – chlorinated solvents, phenols, hydrocarbon compounds
Waste Recycling Facility RCSA §22a-354i-1(34)(V)	Includes accumulation or storage of waste oil, anti-freeze or spent lead-acid batteries which are subject to a general permit issued under sections 22a-208(i) and 22a-454(e)(1) of the CGS	Recycling facility, collection or transfer station	Act. – released leachate generation from waste collection and storage  Chem. – Numerous chemical constituents
Rubber or Resin Production RCSA §22a-354i-1(34)(W)	Includes: production of rubber, resin cements, elastomers or plastic, which involves the use, storage or disposal of hazardous materials	Rubber, resin, elastomer or plastic manufacturer	Act. – Raw material storage, process hazardous waste generation, machine shops  Chem. – Waste oils, solvents, phenols, strong organic and inorganic wastes
Storage of De-icing Chemicals RCSA §22a-354i-1(34)(X)	Includes all unless storage takes place within a weather-tight water-proof structure for the purpose of retail sale or for the purpose of de-icing parking areas or access roads to parking areas	Salt storage facility, fleet state or municipal garage	Act. – Stockpiling of road salt for de-icing of roads and parking areas  Chem. – Sodium chloride, de-caking agents

Regulated Activity	Inclusions / Exceptions	Typical Land Use <sup>2</sup>	Activity/Chemical of Concern
Solid Waste Facility RCSA §22a-354i-1(34)(Y)	Includes accumulation, storage, handling, recycling, disposal, reduction, processing, burning, transfer or composting of solid waste which is subject to a permit issued by the Commissioner pursuant to sections 22a-207b, 22a-208a, and 22a-208c of the CGS except a potable water treatment sludge disposal area	Solid waste facilities, landfill, transfer station, composting facilities, processing centers	Act. – Spills, leaks, and leachate from storage, processing and disposal of wastes  Chem. – various potential organic and inorganic contaminants
Textiles Production RCSA §22a-354i-1(34)(Z)	Includes dyeing, coating or printing of textiles, or tanning or finishing of leather, which activity involves the use, storage or disposal of hazardous materials	Textile manufacturer, tannery	Act. – Storage and use of hazardous materials, equipment cleaning, and hazardous wastes  Chem. – Strong acids and alkalis, dyes, solvents, metals and hydrocarbons
Reconstituted Wood Production, Wood Treatment RCSA §22a-354i-1(34)(AA)	Includes production of wood veneer, plywood, reconstituted wood or pressure-treated wood, which involves the use, storage or disposal of hazardous material	Reconstituted wood manufacturing, wood treatment	Act. – Chemical treatment of wood, chemical storage  Chem. – creosotes, tars trichlorophenol, pentachlorophenol, metals, solvents, oils
Pulp production RCSA §22a-354i-1(34)(BB)	Includes pulp production processes that involve bleaching	Pulp, paper, card board manufacturer	Act. – Storage and use of hazardous and non-hazardous materials, large quantities of waste generation  Chem. – Toxic organic and inorganic chemicals metals, chlorinated hydrocarbons

**The following are Regulated Activities unless all waste water from such activity is lawfully disposed of through a public sewer**

Regulated Activity	Inclusions / Exceptions	Typical Land Use
Car or Truck Washing RCSA §22a-354i-1(34)(G)	Includes all	Car and truck washes, possibly vehicle sales or service
Industrial Laundry Service RCSA §22a-354i-1(34)(J)	Includes industrial laundry service which involves the cleaning of clothes or cloth contaminated by hazardous material (but does not use dry-cleaning solvents for cleaning; dry cleaners are regulated under RCSA §22a-354i-1(34)(I))	Industrial laundries
Embalming or Crematory Services RCSA §22a-354i-1(34)(M)	Includes embalming or crematory services which involve the use, storage or disposal of hazardous	Funeral homes, crematories
Furniture Finishing RCSA §22a-354i-1(34)(O)	Includes furniture finishing operations which involve the use, storage or disposal of hazardous materials (but not stripping; furniture stripping is regulated under RCSA §22a-354i-1(34)(N))	Furniture manufacturer or repair
Biological or Chemical Testing RCSA §22a-354i-1(34)(Q)	Includes biological or chemical testing, analysis or research which involves the use, storage or disposal of hazardous material except on-site testing of a public supply well by a water utility	Biological or chemical laboratories
Photographic Finishing RCSA §22a-354i-1(34)(S)	Includes photographic finishing which involves the use, storage or disposal of hazardous materials	Photographic finishing laboratories

**Non-Regulated, Conditional Exceptions**

Activity	Conditions	Potential Example
<p>Any regulated activity provided all the following conditions are satisfied RCSA §22a-354i-5(c)(4)</p>	<ol style="list-style-type: none"> <li>1. such activity takes place solely within an enclosed building in an area with an impermeable floor</li> <li>2. such activity involves no more than 10% of the floor area in the building where the activity takes place</li> <li>3. any hazardous material used in connection with such activity is stored in such building at all times</li> <li>4. all waste waters generated by such activity are lawfully disposed through a connection to a publicly owned treatment works, and</li> <li>5. such activity does not involve (i) repair or maintenance of internal combustion engines, including without limitation, vehicles, or equipment associated with such vehicles, (ii) underground storage of any hazardous material, or (iii) above ground storage of more than one hundred and ten (110) gallons of hazardous materials</li> </ol>	<p>Small research &amp; development laboratory at company headquarters.</p>
<p>Any regulated activity solely involving the use of lubricating oil provided all the following conditions are satisfied RCSA §22a-354i-5(c)(5)</p>	<ol style="list-style-type: none"> <li>1. such activity does not involve cleaning of metals with chlorinated solvents at the facility</li> <li>2. such activity takes place solely within an enclosed building in an area with an impermeable floor</li> <li>3. any hazardous material used in connection with such activity is stored in such building at all times, and</li> <li>4. such activity does not involve (i) repair or maintenance of internal combustion engines, including without limitation, vehicles, or equipment associated with such vehicles, (ii) underground storage of any hazardous material, or (iii) above ground storage of more than 110 gallons of such lubricating oil and associated hazardous waste</li> </ol>	<p>Shop with machinery that requires lubrication to run, but does not handle hazardous materials in process.</p>
<p>Any regulated activity involving the dispensing of oil or petroleum from an above-ground storage tank(s) with an aggregate volume of 2000 gal. or less, provided all the following conditions are satisfied RCSA §22a-354i-5(c)(6)</p>	<ol style="list-style-type: none"> <li>1. such dispensing activity takes place solely on a paved surface which is covered by a roof</li> <li>2. the above-ground storage tank (or tanks) is a double-walled tank with overfill alarms, and</li> <li>3. all associated piping is either above ground, or has secondary containment</li> </ol>	<p>Small fleet facility</p>

**Non-Regulated Exceptions**

<b>Activity</b>	<b>Conditions</b>	<b>Potential Examples</b>
Residential RCSA §22a-354i-5(c)(1)	Any regulated activity conducted at a residence without compensation	Home maintenance of vehicles, home hobbies
Minor Hazardous Material Use RCSA §22a-354i-5(c)(2)	Any regulated activity involving the use or storage of no more than two and one-half (2.5) gallons of each type of hazardous material on-site at any one time, provided the total of all hazardous materials on-site does not exceed fifty-five (55) gallons at any one time	Small research and development businesses, misc. retail, schools and other small institutions
Agriculture RCSA §22a-354i-5(c)(3)	Any agricultural activity regulated pursuant to section 22a-354m(d) of the Connecticut General Statutes (agriculture whose annual gross sales are \$2,500.00 or more)	Farming, dairying, forestry, raising or harvesting livestock (including horses, bees, poultry, fur-bearing animals and wildlife, oysters, clams, mussels, other shellfish and fish), fruits, vegetables, plants, mushrooms, maple sugar/syrup, lumber