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ADOPTIONS SECTION

ENVIRONMENTAL PROTECTION

CONTAMINATED SITE REMEDIATION AND REDEVELOPMENT

Notice of Readoption

Heating Oil Tank System Remediation Rules

Readoption: N.J.A.C. 7:26F

Authority: N.J.S.A. 13:1D-9, 58:10-23.11 et seq., 58:10A-1 et seq., 58:10A-21 et seq., 58:10A-37.1 et seq., 58:10B-1 et seq., and 58:10C-1 et seq.

Authorized By: Shawn M. LaTourette, Commissioner, Department of Environmental Protection.

Effective Date: June 24, 2025.

New Expiration Date: June 24, 2032.

Take notice that pursuant to N.J.S.A. 52:14B-5.1, the Heating Oil Tank System Remediation Rules, N.J.A.C. 7:26F, are readopted and shall continue in effect for a seven-year period. The rules were scheduled to expire on August 6, 2025. The Department of Environmental Protection (Department) has reviewed these rules and has determined that the rules should be readopted because they are necessary, reasonable, and proper for the purpose for which they were originally promulgated. In accordance with N.J.S.A. 52:14B-5.1.c(1), timely filing of this notice extended the expiration date of the chapter seven years from the date of filing.

The Heating Oil Tank System Remediation Rules, N.J.A.C. 7:26F, address the closure of heating oil tank systems and the remediation of discharges from those systems. The chapter

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includes the requirements for remediating discharges from heating oil tank systems, and applying for a grant or loan to help offset the cost of remediation of discharges from unregulated heating oil tank systems. The rules apply to discharges from aboveground heating oil tank systems, residential underground heating oil tank systems, and underground storage tank systems of 2,000 gallons or less at non-residential locations.

The chapter is prescriptive, but it includes a certain amount of flexibility by providing a process by which an owner may vary from certain technical requirements and deal with residual soil contamination. As most heating oil tank systems in the State are owned by homeowners, N.J.A.C. 7:26F consolidates the remediation requirements for discharges from heating oil tank systems into one chapter for the convenience of homeowners and individuals who perform such remediations.