



DEPARTMENT OF ADMINISTRATIVE SERVICES

I-07-18

October 17, 2018

Mr. Robert Root, Building Official
Town of Wilton
238 Danbury Road
Wilton, CT 06897

Re: Interpretation of 2018 CT State Building Code IRC Section M2201.7
Tank Abandonment and Removal

Mr. Root,

In your letter dated October 17, 2018 you requested a formal interpretation of two issues associated with the subject section.

Question #1: Is the local building official now obligated to issue permits as well as conduct a subsequent inspection based upon the guidelines set forth in the section.

Answer to Question #1:

Yes. The regulation of oil storage tanks was moved from statute into the Fire Prevention Code. The Fire Prevention Code is not applicable to one and two family homes or to townhouses. This change left a void in jurisdiction over of this area, which was corrected by including these requirements, taken from the 2015 IFC, into the IRC as section M2201.7. The building official is responsible for issuing permits and verifying compliance with the requirements for whichever method was chosen under this section – removal, temporary out of service, or abandonment.

Question #2: Will this also mean the building official will be required to confirm adherence to the DEEP and Federal requirements and obtain and maintain necessary documentation and or certifications regarding the sampling of the soils post removal and abandonment?

No. The building official is only responsible for compliance with the requirements in the Connecticut State Building Code. As with other peripheral issues under the authority of others, such as an OSHA safety violation, if the building official observes something improper he should bring it to the attention of the authority with jurisdiction over the issue.

Sincerely,

A handwritten signature in blue ink, appearing to read "J. Cassidy", is written over a light blue horizontal line.

Joseph V. Cassidy, P.E.
State Building Inspector

WILTON BUILDING DEPARTMENT

**Building Official
Demolition Officer**

Tel: 563-0177



**TOWN HALL ANNEX
238 Danbury Road
Wilton, Connecticut 06897**

Fax: 563-0284

October 17, 2018

To: Office of the State Building Inspector

Re: Code Interpretation

This is a request for a formal interpretation regarding Sections M2201.7, M2201.7.1 and M2201.7.3 Tank Abandonment and Removal.

In the past we did not regulate the removal of underground or above ground exterior oil tanks nor did we require a permit or inspection. The above section seems to indicate we will now have to regulate this and require a permit as well as conduct a subsequent inspection based upon the guidelines set forth in the section. Will this also mean we will be required to confirm their adherence to the DEEP and Federal requirements and obtain and maintain necessary documentation and or certifications regarding the sampling of the soils post removal and abandonment? I appreciate your time.

Respectfully,

Robert E. Root
Chief Building Official