
State Water Resources Control Board

REPLACING, REMOVING, OR UPGRADING (RUST) PROGRAM UPDATE: SB 445 SIGNED INTO LAW

On September 25, 2014, the Governor signed **SB 445 (Hill) Underground storage tanks: hazardous substances: petroleum: groundwater and surface water contamination**. It is Chapter 547, Statutes of 2014. This is an urgency measure that took effect immediately. The chaptered version can be found at: http://leginfo.ca.gov/pub/13-14/bill/sen/sb_0401-0450/sb_445_bill_20140925_chaptered.pdf

Overview of the key elements of the bill that relate to the Replacing, Removing, or Upgrading Underground Storage Tanks (RUST) Program:

- Dedicating a portion of the 3 mills (\$0.003) of the fee assessed on petroleum stored in underground storage tanks (USTs) to assist small businesses to comply with UST regulatory requirements through RUST loans and grants;
- Amending the allowable purposes of both RUST loans and grants to include removal of single-walled USTs in accordance with Health and Safety Code section 25292.05;
- Increasing the maximum RUST grant amount to \$70,000;
- An additional \$140,000 in RUST grant moneys above the \$70,000 maximum is available for remote public fueling stations for the purpose of removing and replacing a single-walled UST; (See Health and Safety Code section 25299.107(e) for more information.)
- Providing for removal-only RUST grants; and
- Providing for a waiver from the RUST grant permit compliance requirements for removal-only projects where the grant applicant does not qualify for a RUST loan.

The State Water Resources Control Board (State Water Board) including the UST Tank Leak Prevention Unit, UST Cleanup Fund Program, Orphan Site Cleanup Fund, Office of Enforcement, and the RUST Program are all working diligently to get information about SB 445 disseminated to the public. The RUST Program will be updating its website and its loan and grant applications. Keep checking the webpage for updated information.

For questions regarding the RUST Program, please contact Janice Clemons at (916) 341-5657 or janice.clemons@waterboards.ca.gov.

For questions regarding UST permanent closure provisions of SB 445 contact Laura Fisher at (916) 341-5870 or laura.fisher@waterboards.ca.gov.

For all other questions, please send an email to ustcleanupfund@waterboards.ca.gov, using the subject line of "SB 445".