



# UST Program Update November 2022

## Tanks Destined for Specific Reuse

The State Water Resources Control Board (State Water Board) has received numerous inquiries regarding specific reuse of underground storage tanks (USTs) or associated components. Owners and operators are requesting permission to leave a UST or associated piping in the ground after closure for some other operation, e.g., water storage or as part of a storm drain apparatus. Closure-in-place methods must be in accordance with California Code of Regulations, title 23, division 3, chapter 16 (UST Regulations), section 2672(c), to include, removing all residual liquid, solids, or sludges, inerting the tank to prevent explosion due to flammable vapors, removing connected piping, and filling the tank with an inert solid unless the UST will store nonhazardous substances compatible with the previous use and construction of the tank. Please note that connected piping cannot be re-used for any purpose under UST Regulations, section 2672(c)(3).

The State Water Board is aware of several instances of proposed specific reuse where it appears that the owners or operators do not intend to reuse the UST as proposed, but rather are simply looking for a budget closure method. This is inappropriate. Prior to approving reuse under this provision, the Unified Program Agency (UPA) should require the owner or operator to provide appropriate plans or designs demonstrating how the UST will be utilized. For example, if the owner or operator intends to utilize the tank for water storage for fire suppression, the owner or operator should provide the UPA with a workplan demonstrating how this system would assist the local fire department, approval from the local fire department or district, and identify how water stored in the tank will be pumped out and usable in a fire situation.

For additional information regarding tanks destined for specific reuse, contact:  
Mr. Tom Henderson at (916) 319-9128 or [Tom.Henderson@waterboards.ca.gov](mailto:Tom.Henderson@waterboards.ca.gov).

## Mechanical Under Dispenser Containment Monitoring Devices

Mechanical float monitoring devices (float trips) can be rendered non-functional by the presence of relatively small amounts of moisture or debris in the under-dispenser containment (UDC), which can cause floats to stick to the sides or bottoms of float reservoirs. UST Regulations, section 2630(d) requires monitoring equipment's to be installed and maintained such that the equipment is capable of detecting a leak at the earliest possible opportunity. Best management practices for facilities using such equipment must include keeping the UDC in a clean and dry condition at all times.

At facilities using equipment of this type, it is essential that designated UST operator visual inspections, required per UST Regulations, section 2716(b)(8), pay special attention to conditions at the bottom of the UDC in and near the float reservoirs and on the mechanical float monitoring devices. Designated UST operator inspections should check for dirt and debris that might impair the equipment's ability to detect a leak at the earliest possible opportunity, and confirm that float chains are not detached.

Any adjustments to such monitoring equipment (e.g., chain length or float height) may only be made by a UST service technician qualified pursuant to UST Regulations, section 2715(f). If the manufacturer's installation instructions call for a lead seal to be placed on the chain after it is properly adjusted, service technicians should ensure that such seals are intact and replace any damaged or missing seals when periodic functional testing is performed. Testing must confirm that the flow of product is completely stopped when the shear valve is tripped. Service technicians performing work or testing on these devices must have received training from the manufacturer within the past 36 months.

To properly meet the requirements of UST Regulations, section 2636(f)(1), owners or operators must replace any individual float trip monitoring device that fails to operate on more than one occasion during testing or in operation. UPA UST inspectors should properly document which UDC float trips have previously failed. Any additional failures will require replacement of the float trip device. If the UST owner or operator decides to use the same method of UDC monitoring, all components of the float trip device, to include the housing cup, float, chain, and arm should also be replaced.

For systems where the float trip properly activates, service technicians must perform a nozzle test to verify the shear valve is also properly stops flow of the product at the dispenser.

For additional information regarding mechanical UDC monitoring devices, contact: Mr. Austin Lemire-Baeten at (916) 327-5612 or [Austin.Lemire-Baeten@waterboards.ca.gov](mailto:Austin.Lemire-Baeten@waterboards.ca.gov).

## Local Guidance 113 Contents

State Water Board staff often receive questions as to why a particular overfill prevention equipment, spill containment or secondary containment have not been approved on Local Guidance 113 ([LG-113](#)<sup>1</sup>). LG-113 is exclusively for release detection equipment and primary system test methods that have been evaluated by third-party testing organizations for substance compatibility, reaction time, and probability of false alarms. Additionally, the State Water Board does not approve the methods published on LG-113, rather we confirm the methods meet the requirements of chapter 6.7 of the Health and Safety Code (H&SC) and UST Regulations. Listing equipment and methods on LG-113 is intended to eliminate the need for UPAs to review release detection equipment or test methods for compliance with state and federal requirements; however, it is not a blanket confirmation for use of any release detection equipment used in conjunction with any UST system. The guidance does not include overfill prevention equipment, piping, secondary containment structures, or similar equipment.

For additional information regarding the contents of LG-113, contact:  
Mr. Austin Lemire-Baeten at (916) 327-5612 or  
[Austin.Lemire-Baeten@waterboards.ca.gov](mailto:Austin.Lemire-Baeten@waterboards.ca.gov).

## UST Closure Letters

As part of the Certified Unified Program Agency Performance Evaluation process, State Water Board staff review UST closure documentation, including the UST closure letter issued from the UPA to the owner or operator. State Water Board staff recently observed several UPAs issuing “No Further Action” closure letters to owners or operators that reference the cleanup requirements in H&SC and UST Regulations.

The UPAs must provide written documentation stating that a UST owner or operator has demonstrated to the satisfaction of the UPA that a UST system has been properly closed by removal or closure-in-place, in accordance with H&SC, section 25298(c) and UST Regulations, section 2672. The term “No Further Action” is required as part of the UST cleanup process in H&SC, section 25296.10 and Article 11 in UST Regulations, identifying when a facility has completed the cleanup process. Using the “No Further Action” term could mislead UST owners or operators that their facility has also completed the cleanup process.

UPAs do not have authority to **implement** cleanup requirements, per H&SC, section 25283(b)(1)(B). As such, “No Further Action” letters are not appropriate from the UPA. Moving forward, UPAs should exclude cleanup terms or action requirements and citations from their closure letter **template** to ensure the UPA is approving permanent

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<sup>1</sup> [https://www.waterboards.ca.gov/water\\_issues/programs/ust/leak\\_prevention/lg113/](https://www.waterboards.ca.gov/water_issues/programs/ust/leak_prevention/lg113/)

closure of the UST system in accordance with H&SC, section 25298(c) and UST Regulations, section 2672.

For additional information regarding UST closure letters, contact:

Ms. Jenna Hartman at (916) 327-8563 or [Jenna.Hartman@waterboards.ca.gov](mailto:Jenna.Hartman@waterboards.ca.gov).