



# UST Program Update May 2023

## Licensing Requirements for UST Installers and Service Technicians

The requirement to [permanently close all single-walled underground storage tanks](#)<sup>1</sup> (USTs) is quickly approaching and approximately 2,000 UST systems will require closure or modification to prevent enforcement actions. The December 31, 2025 closure deadline is already creating a strain on equipment supply chains, and as we move closer to the deadline, the limitations of UST installers and service technicians will become an additional bottleneck to the closure process.

The State Water Resources Control Board (State Water Board) and the Certified Unified Program Agencies (CUPAs) have provided continuous outreach and education regarding the closure deadline, still many UST owners or operators will fail to properly plan for the required closure. Single-walled UST systems that are not permanently closed on January 1, 2026, even if the owner or operator has made the system non-operational, will begin to accrue penalties at \$500 to \$5,000 per day, per tank, per violation. UST owners and operators may attempt to hire UST installers and service technicians from other states for services on their California USTs. To remove, install, or service a UST in California, individuals or the company that employs them must possess a license from the [California State Licensing Board](#)<sup>2</sup> (CSLB). Those individuals without the proper license from the CSLB are not permitted to work in California. Additionally, UST installers and service technicians must also possess training by the manufacturer of equipment being installed and possess a current International Code Counsel UST Installation/Retrofitting certification or the California UST Service Technician certification. Licensing and certification requirements can be found in Title 23, division 3, chapter 16 (UST Regulations), section 2715, and are further outlined in [Local Guidance 167](#)<sup>3</sup>.

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<sup>1</sup> [https://www.waterboards.ca.gov/ust/single\\_walled.html](https://www.waterboards.ca.gov/ust/single_walled.html)

<sup>2</sup> <https://www.cslb.ca.gov/>

<sup>3</sup> [https://www.waterboards.ca.gov/ust/leak\\_prevention/lgs/docs/lg-167-2.pdf](https://www.waterboards.ca.gov/ust/leak_prevention/lgs/docs/lg-167-2.pdf)

For additional information regarding requirements for UST installers and service technicians, contact: Austin Lemire-Baeten at (916) 327-5612, or [Austin.Lemire-Baeten@waterboards.ca.gov](mailto:Austin.Lemire-Baeten@waterboards.ca.gov). For specific information regarding CSLB requirements, please contact the [California Contractors State License Board](#)<sup>4</sup>.

## Abandoned Underground Storage Tanks

The State Water Board has updated *Reporting Abandoned USTs* on the [CERS Frequently Asked Questions webpage](#)<sup>5</sup> to further clarify which systems qualify as abandoned underground storage tanks (USTs), whether they need to be recorded in CERS, and what to do when an abandoned UST is encountered. All USTs meeting the criteria of abandoned as described in the FAQ must to be reported in CERS if they are not being permanently closed within a short time of discovery. Additionally, all abandoned USTs must be [inspected annually](#)<sup>6</sup>, and included as part of the *Semi-Annual UST Program Report* with the appropriate technical compliance rate information.

For additional information regarding abandoned USTs, contact: Austin Lemire-Baeten at (916) 327-5612, or [Austin.Lemire-Baeten@waterboards.ca.gov](mailto:Austin.Lemire-Baeten@waterboards.ca.gov), or Jenna Hartman at (916) 327-8563, or [Jenna.Hartman@waterboards.ca.gov](mailto:Jenna.Hartman@waterboards.ca.gov).

## Spanish and Hindi Versions of *Musts for USTs*

The Environmental Protection Agency (EPA) has finalized the non-English versions of *Musts for USTs*. Spanish and Hindi versions of the document are available at the [Musts for USTs page](#)<sup>7</sup> and at the EPA's [Publications Related to Underground Storage Tanks page](#)<sup>8</sup>. The EPA appreciates the hard work of their regional colleagues in reviewing, editing, and finalizing these documents. Versions of *Musts for USTs* in Bengali, Punjabi, and Farsi are in the draft stage. Individuals fluent in these languages who have a UST background are encouraged to reach out to Beth Zelenski at [Zelenski.Elizabeth@epa.gov](mailto:Zelenski.Elizabeth@epa.gov) if they would like to contribute to the translation.

For additional information regarding *Musts for USTs*, contact: Beth Zelenski at [Zelenski.Elizabeth@epa.gov](mailto:Zelenski.Elizabeth@epa.gov), or Kenneth Dixon at [Dixon.Kenneth@epa.gov](mailto:Dixon.Kenneth@epa.gov).

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<sup>4</sup> [https://www.cslb.ca.gov/About\\_us/Contact\\_CSLB.aspx](https://www.cslb.ca.gov/About_us/Contact_CSLB.aspx)

<sup>5</sup> [https://www.waterboards.ca.gov/ust/cers/tutorials/ru06\\_abandoned\\_usts.html](https://www.waterboards.ca.gov/ust/cers/tutorials/ru06_abandoned_usts.html)

<sup>6</sup> [https://www.waterboards.ca.gov/ust/docs/abandoned\\_storage/abust\\_inspection\\_letter\\_and\\_checklist.pdf](https://www.waterboards.ca.gov/ust/docs/abandoned_storage/abust_inspection_letter_and_checklist.pdf)

<sup>7</sup> <https://www.epa.gov/ust/musts-usts>

<sup>8</sup> <https://www.epa.gov/ust/publications-related-underground-storage-tanks>

## Overfill Prevention Equipment on Waste Oil Tanks

As discussed in previous [Monthly updates](#)<sup>9</sup>, many waste oil tanks improperly apply both the secondary containment piping exemption described in UST Regulations, section 2636(a)(1) and the overfill prevention equipment (OPE) exemption from section 2635(c)(2). Because the secondary containment exemption requires very specific overfill performance measures, only one of these exemptions may be utilized. For systems that improperly utilize both exemptions, the owner or operator may:

- Secondarily contain all vent and/or riser piping;
- Utilize the automatic tank gauge and vent restrictor method if the vent restrictor was installed before October 1, 2018, notate these items in CERS as the OPE, and properly inspect those devices in accordance with UST Regulations, section 2637.2; or
- Install or inspect functional positive shutoff OPE in accordance with UST Regulations, sections 2635(c)(1)(C) and 2637.2.

Positive shutoff OPE has proven difficult with some waste oil systems due to product compatibility and flow rates. [Universal Valve Company](#)<sup>10</sup> claims to provide a positive shutoff OPE valve that is compatible with waste oil. Additional guidance on overfill prevention requirements can be found in [Local Guidance 150](#)<sup>11</sup>.

For additional information regarding overfill prevention equipment on waste oil tanks, contact: Austin Lemire-Baeten at (916) 327-5612, or [Austin.Lemire-Baeten@waterboards.ca.gov](mailto:Austin.Lemire-Baeten@waterboards.ca.gov).

## CUPA Evaluation Facility Selection

As part of the CUPA Evaluation facility selection process, evaluation staff utilize the *UST Facility/Tank Data Download Report* and now include a random number generator (RNG) column to the excel spreadsheet. The RNG was added to remove any concerns of selection bias. While the State Water Board staff will still prioritize facilities based on certain characteristics such as systems with single-walled components or CUPA owned facilities, staff will only select those facilities as sequenced by the RNG. CUPAs may request the facility selection documents with the RNG component during the evaluation.

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<sup>9</sup> [https://www.waterboards.ca.gov/water\\_issues/programs/ust/cupa/updates/docs/november2021-ust.pdf](https://www.waterboards.ca.gov/water_issues/programs/ust/cupa/updates/docs/november2021-ust.pdf)

<sup>10</sup> <http://www.universalvalve.com/default.asp>

<sup>11</sup> [https://www.waterboards.ca.gov/ust/leak\\_prevention/lgs/docs/150-3.pdf](https://www.waterboards.ca.gov/ust/leak_prevention/lgs/docs/150-3.pdf)

For additional information regarding the facility selection random number generator, contact: Char'Mane Robinson at (916) 327-1276, or [Charmane.Robinson@waterboards.ca.gov](mailto:Charmane.Robinson@waterboards.ca.gov).

## CUPA Evaluation Webpage Updates

The Leak Prevention Unit continues to develop resources to assist and clarify the CUPA evaluation process. These resources are found on the [CUPA Evaluation Webpage](#)<sup>12</sup> to include the following new information.

### ***UST Operating Permit Template***

The UST Operating Permit Template has been provided to assist the CUPAs in developing their UST operating permit to meet the minimum UST permit requirements and correctly reference all applicable section codes.

### ***CERS Quality Assurance List***

Staff developed a [CERS Quality Assurance List](#)<sup>13</sup> to assist CUPAs in performing their own CERS data review. The list includes the specific quality assurance items from the *UST Facility/Tank Data Download Report* reviewed by staff during the CUPA evaluation. Staff may review all or part of the listings during the CUPA evaluation. CUPAs should perform a review of their data on an annual basis. Upon request, State Water Board staff will provide training to CUPA staff.

For additional information regarding the CUPA Evaluation Webpage Updates, contact: Kaitlin Cottrell at (916) 319-0742, or [Kaitlin.Cottrell@waterboards.ca.gov](mailto:Kaitlin.Cottrell@waterboards.ca.gov), or Char'Mane Robinson at (916) 327-1276, or [Charmane.Robinson@waterboards.ca.gov](mailto:Charmane.Robinson@waterboards.ca.gov).

## CERS Data Discrepancy Training

State Water Board staff are now offering training to CUPAs to review and identify data discrepancies using available CERS reports and Excel. The training will show CUPA staff how to quickly and thoroughly review CERS data and identify common discrepancies. Those interested should contact Kaitlin Cottrell to schedule a training time. Training may be provided remotely or in person.

For additional information regarding the CERS data discrepancy training, contact Kaitlin Cottrell at (916) 319-0742, or [Kaitlin.Cottrell@waterboards.ca.gov](mailto:Kaitlin.Cottrell@waterboards.ca.gov).

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<sup>12</sup> [https://www.waterboards.ca.gov/water\\_issues/programs/ust/performance-evaluations.html](https://www.waterboards.ca.gov/water_issues/programs/ust/performance-evaluations.html)

<sup>13</sup> [https://www.waterboards.ca.gov/water\\_issues/programs/ust/docs/cers-quality-assurance.pdf](https://www.waterboards.ca.gov/water_issues/programs/ust/docs/cers-quality-assurance.pdf)

## **25<sup>th</sup> Annual CUPA Conference – UST Leak Prevention Presentations**

The 25<sup>th</sup> CUPA Conference was held March 20-23, 2023, in Anaheim, California. Leak Prevention staff appreciate the opportunity to discuss current UST subject matter and answer both technical and administrative questions pertaining to the UST Program. The training sessions offered many opportunities to educate attendees on the intricacies of the UST Program. Below are brief summaries of UST Leak Prevention presentations.

### ***Year in Review for 2022***

Tom Henderson provided the yearly update of the State Water Board's UST Program. He covered program statistics, specific reuse of single-walled tanks, the Chapter 16 rewrite, and abandoned USTs. Tom also discussed site-specific variances for single-walled components, modifications to select local guidance letters, and the critical importance of proper enforcement.

### ***CUPA Performance Evaluation Process***

Kaitlin Cottrell and Jenna Hartman presented on the CUPA Performance Evaluation Process. They discussed State Water Board UST evaluation updates, including staff changes, focusing on single-walled UST systems during the evaluation process, updates to the CUPA Evaluation webpage and improvements made to the UST evaluation process. State Water Board staff will continue to provide additional support for CUPAs, including CERS training for CUPA staff beginning in May 2023.

### ***Single-walled USTs***

Austin Lemire-Baeten presented on what constitutes as a single-walled UST, how these systems can be monitored, tested, and repaired, and the processes involved to close or replace single-walled systems with secondarily contained systems. The deadline for single-walled UST closure is December 31, 2025.

## **New UST Leak Prevention Staff**

The UST Leak Prevention Unit is pleased to announce Mr. Jason Carter has joined the CUPA Evaluation team. Jason received a Bachelor of Science degree in Biology from the University of Oregon and has worked as an Environmental Scientist for the State Water Board's Division of Drinking Water, where has worked as a regional coordinator for the Harmful Algal Bloom Program. Jason can be reached at [Jason.Carter@waterboards.ca.gov](mailto:Jason.Carter@waterboards.ca.gov).