



UST Program Update June 2022

Additional Outreach to Single-Walled Facilities

It was recently brought to the attention of the State Water Resources Control Board (State Water Board) that some underground storage tank (UST) owners believe they can remain in compliance by operating their USTs up to December 31, 2025, then remove any remaining fuel on January 1, 2026. While this is an option, this is not permanent closure as required by law and these facilities will begin accruing penalties of \$500 to \$5,000 per day, per tank, per violation beginning January 1, 2026. All USTs without secondary containment and continuous interstitial monitoring meeting the requirements of Health and Safety Code, division 20, chapter 6.7 (H&SC), section 25291(a)(1)-(6) must be permanently closed on or before December 31, 2025.

Despite substantial outreach by the State Water Board, many in the regulated community still misunderstand the single-walled UST closure requirements. The most recent State Water Board outreach to the single-walled UST community was the UST Closure Commitment Plan (Plan) in October 2021. These plans were emailed to the single-walled facility compliance officer and Certified Unified Program Agency (CUPA) with jurisdiction as determined by the California Environmental Reporting System (CERS). The State Water Board recommends CUPAs include the Plan as part of the annual mailings to single-walled UST facilities as the agency best equipped to identify parties responsible for closure before the 2025 deadline. The Plan illustrates potential procedural bottlenecks, provides information about available closure resources, and helps mitigate the number of single-walled USTs that remain unclosed or become abandoned after the deadline.

For copies of the Plan documents or additional information, contact:
Mr. Johnny Wales at (804) 852-7274 or Johnny.Wales@waterboards.ca.gov.

Fiberglass UST Disposal

State Water Board staff have been asked for guidance regarding the crushing of fiberglass tanks for disposal as part of the UST removal process. The State Water

Board does not regulate the disposal of expired USTs after they have been removed from the ground. Owners, operators, and/or contractors should consult the CUPA having jurisdiction over the facility and/or the local Air Resources Board for best business practices for disposing of these tanks to ensure it is done in an environmentally responsible manner.

For more information regarding fiberglass tank disposal, contact:
Mr. Austin Lemire-Baeten at (916) 327-5612 or
Austin.Lemire-Baeten@waterboards.ca.gov

Aboveground Storage Tanks Used as USTs

As more owners and operators replace their aging USTs with newer systems, the demand for new tanks begins to outpace the available supply. As a result, State Water Board staff have fielded questions concerning aboveground storage tanks (ASTs) that are planned to be used as USTs. This must not be done under any circumstance as ASTs and USTs have very different construction requirements based on their uses. Underwriters Laboratory (UL) regulates both tank constructions and outlines benchmarks they must meet including materials, dimensions, cathodic protection needs, and testing requirements. ASTs and USTs have very different constructions and therefore cannot be used interchangeably. In 2014, the California State Fire Marshal issued [Informational Bulletin 14-005¹](#) that further outlines why ASTs and USTs are not interchangeable, even if the tank is “converted”.

For more information regarding ASTs used as USTs, contact:
Ms. Jenna Hartman at Jenna.Hartman@waterboards.ca.gov, or
Mr. Austin Lemire-Baeten at (916) 327-5612 or
Austin.Lemire-Baeten@waterboards.ca.gov.

UST Leak Prevention and Office of Tank Tester Licensing Manager

Tom Henderson has been promoted to manager of the UST Leak Prevention and Office of Tank Tester Licensing units.

¹ https://osfm.fire.ca.gov/media/8420/ib_final-usttoastofmib_7-25-14.pdf