



UST Program Update May 2014

Matrix of Pipe Monitoring Applications

The Matrix of Pipe Monitoring Applications was updated on April 25, 2014. The matrix is a tool to assist the Certified Unified Program Agencies (CUPAs) with determining the identification of piping that complies with the independent testing requirements of California Code of Regulations, Title 23, section 2631. The updated matrix is posted at

http://www.waterboards.ca.gov/ust/leak_prevention/matrix.shtml .

California Environmental Reporting System (CERS) Underground Storage Tank (UST) Frequently Asked Questions (FAQ)

The requirement for International Code Council review of UST submittals FAQ was reformatted and has been posted to the Regulator Help section of CERS, <https://cersregulator.calepa.ca.gov/Help> .

Owner Statement of Understanding

As a part of compliance with UST laws and regulations, owners are required to state that they understand UST requirements and that they are in compliance with those requirements. The following statement, previously included in the Designated UST Operator Identification statement, is now added to the UST Facility Information data entry screen in CERS.

"I certify that the information provided in this UST submittal is accurate and current, and that this facility complies with all applicable Underground Storage Tank requirements."

Whenever a UST facility submittal is made in CERS the business user is making this certification so no document upload will be necessary to meet this certification requirement.

UST Inspection Checklists

The CUPA Forum Board has revised the downloadable UST Inspection checklists previously posted to the CUPA and Decade Software websites so that they include clear identification of all required significant operational compliance (SOC) Release Detection and Release Prevention related violations as well as a SOC inspection summary to facilitate determination of the SOC status at the conclusion of the inspection. This ensures that the business is informed of the SOC status at the time of the inspection and will help ensure that SOC violations and status are accurately reported in CERS. The inspection checklists

are available on the CUPA website at http://www.calcupa.net/technical/inspection_and_enforcement/icp/word.asp .

Office of Tank Tester Licensing (OTTL)

OTTL continues to update Local Guidance (LG) 105 monthly. The LG letters are available on the State Water Board website at http://www.swrcb.ca.gov/water_issues/programs/ust/leak_prevention/lgs/ .

Additionally, OTTL distributes a quarterly report to the UST Program electronic mailing list. The quarterly report for the period of January 2014 through March 2014 was sent out on April 9, 2014. This report contains information regarding individuals whose tank tester's license has expired, been suspended, or individuals that have been placed on probation. If there are questions regarding the OTTL program, contact Sean Farrow at 916-324-7493 or at sean.farrow@waterboards.ca.gov .

Abandoned Underground Storage Tank Initiative

Sullivan, US EPA, and the State Water Board are in the process of investigating non-compliant sites with abandoned USTs. The investigation will allow the assessment of any identified risks, such as leaking fuels, and address them to bring the sites into compliance. USTs are considered abandoned when regulated substances are no longer stored within those USTs and/or when monitoring requirements of the Operating Permit and of Title 23, California Health and Safety Code 25298, are not being implemented. (*Abandoned Underground Storage Tank Initiative Report*, April 2013)

The Abandoned Underground Storage Tank Initiative continues to progress. Below is an updated tracking sheet that summarizes general information regarding the Abandoned Tank Initiative.

Abandoned UST Site Status in GeoTracker	# of Sites	% of Total Sites
<i>Out of Compliance</i>	212	62.90%
Out of Compliance - USTs with Product	41	12.20%
Out of Compliance - USTs without Product	44	13.10%
Out of Compliance - USTs with Unknown Product	109	32.30%
Out of Compliance - Managed Under LUST Case	9	2.70%
Unknown - Further Research Needed (Presence of USTs suspected but not confirmed)	9	2.70%

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<i>In Compliance</i>	125	37.10%
In Compliance - USTs Removed	28	8.30%
In Compliance - USTs in Service	26	7.70%
In Compliance - USTs Closed in Place	2	0.60%
In Compliance - Temporary Closure	10	3.00%
USTs Closed or Removed Historically	37	11.00%
No Evidence of USTs Ever Present	22	6.50%
Total	337	100%

Current Site Strategy	# of Sites	% of Total Sites
State Water Board Lead	165	49.00%
Notice of Non-Compliance (NONC) - 60 days has not passed or CUPA has not confirmed compliance status	152	45.10%
Notices of Violation (NOV) - Received NONC and still out of compliance after 60 days (confirmed by CUPA)	13	3.90%
Local Oversight	8	2.40%
Local Enforcement	13	3.90%
File Review/ Research Needed to Determine Approach*	16	4.70%
No Work Currently Needed**	135	40.10%
Total	337	100%

Note: There were **originally 323 Abandoned UST sites** reported by the UPAs. Fourteen (14) additional sites were reported after the initial Abandoned UST Inventory was created in April 2013. *Includes sites which have GeoTracker cases, sites with complicated ownership issues, and sites for which USTs are suspected but not confirmed. No further work may need to be conducted. **Includes sites in the process of coming into compliance.

Status on State Water Board NONC Strategy (for 172 Sites)	# of Sites	% of Sites to Receive NONC
State Water Board initial NONCs issued week ending 04/13/14 (4 NONCs reissued to alternative addresses)	2	1.20%
State Water Board initial NONCs issued since 7/23/13 (52 NONCs reissued to alternative addresses)	172	100.00%
Total	172	100%

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Responses to NONC	# of Sites	% of Sites Issued NONC
Responses received	98	57.00%
Compliance obtained	7	4.10%
Owners stating they plan to comply	41	23.80%
Owners claiming no USTs present or closed in place	14	8.10%
Owners claiming financial hardship	29	16.90%
Dispute/ Owner claiming not responsible	7	4.10%
No responses received	74	43.00%
No good address found	2	1.20%
NONC delivered - Return receipt signed	50	29.10%
Delivery status unknown - in transit	22	12.80%

Assistance Provided to Owners and/or Agencies	Cumulative # of Sites	% of Total Sites
At least one type of assistance provided	34	10.10%
Site inspection, geophysical survey, and tank gauging conducted	5	1.50%
Administrative/technical guidance*	34	10.10%
Facilitated entry into funding program (USEPA Brownfields and LUST Trust Fund)	4	1.20%
Product removed from USTs	0	0.00%
Fieldwork conducted (environmental data collected)	1	0.30%
No assistance provided	303	89.90%
Total	337	100%

Note: One site can receive more than one type of assistance, so there is overlap in the subcategories of assistance provided.

*Administrative/technical guidance includes explaining regulatory requirements to owners; screening sites for funding program eligibility; coordinating with local agencies to provide them with site information, funding program options for specific sites, and tools (e.g. Ability to Pay Form, Owner Interview Questionnaire).