



# UST Program Update July 2018

## Proposed Underground Storage Tank Regulations Adopted by the State Water Resources Control Board

The State Water Resources Control Board (State Water Board) adopted the proposed amendments to the California UST regulations at the State Water Board's June 5, 2018 Board Meeting. The adopted amendments to the regulations include, but are not limited to: 1) facility walkthrough inspections; 2) overfill prevention equipment inspections; 3) testing and inspecting equipment after a repair; 4) requirements for demonstrating compatibility; 5) training of employees prior to the first work day, and 6) line leak detection of piping connected to emergency generator tank systems. A copy of the draft text of the adopted amendments is located at:

[https://www.waterboards.ca.gov/board\\_info/agendas/2018/jun/060518\\_3\\_att\\_a\\_strike.pdf](https://www.waterboards.ca.gov/board_info/agendas/2018/jun/060518_3_att_a_strike.pdf)

The State Water Board will transmit the completed rulemaking package to the Office of Administrative Law for a 30-business day review before filing with the Secretary of State. The adopted amendments become effective on the first day of the quarter after filing the rulemaking package with the Secretary of State unless the proposed amendments provide a different effective date. State Water Board staff expect the proposed amendments to become effective the quarter beginning October 1, 2018.

Information on the Title 23 Federal Reconciliation Proposed Regulations is available at:

[https://www.waterboards.ca.gov/water\\_issues/programs/ust/adm\\_notices/fed\\_rec\\_regs](https://www.waterboards.ca.gov/water_issues/programs/ust/adm_notices/fed_rec_regs).

State Water Board staff will be holding separate informational webinars for UST Regulators and UST owners and operators on the adopted amendments. The dates and times for the webinars will be announced shortly.

If you have questions regarding this matter, please contact Mr. Cory Hootman at (916) 341-5668 or [cory.hootman@waterboards.ca.gov](mailto:cory.hootman@waterboards.ca.gov).

## Regulations for Tanks in Underground Areas Effective July 1, 2018

On December 4, 2015 State Water Board issued a technical UST program notification titled *Underground Storage Tank Provisions in Senate Bill No. 612 for Tanks in Underground Areas*. The notification informed Unified Program Agencies and other interested parties that the definition of a tank in an underground area (TIUGA) was modified. Some of the modified definition, however, did not take effect until regulations that apply to TIUGAs became effective. Regulations adopted by the Office of State Fire Marshal that apply to TIUGAs became effective July 1, 2018. (California Code of Regulations, title 24, part 9, chapter 57.) The flowchart enclosed in the December 4, 2015 technical notification titled *Flowchart for Determining if a Tank in Underground Area is an AST or UST Effective After the Office of*

*the State Fire Marshal Adopts Regulations for Tanks in Underground Areas* will assist UST regulators and UST owners and operators in the determining if a tank system located in a below grade area is subject to aboveground storage tank or UST requirements. The December 4, 2015 notification and the enclosed referenced flowchart is located at:

[https://www.waterboards.ca.gov/water\\_issues/programs/ust/tech\\_notices/docs/sb612\\_20151204.pdf](https://www.waterboards.ca.gov/water_issues/programs/ust/tech_notices/docs/sb612_20151204.pdf)

Additional guidance concerning the transfer of USTs to ASTs in the California Environmental Reporting System (CERS) that meet the definition of a TIUGA will made be available shortly.

If you have questions regarding this matter, please contact Mr. Cory Hootman at (916) 341-5668 or [cory.hootman@waterboards.ca.gov](mailto:cory.hootman@waterboards.ca.gov).

### **Final Revised CERS Violation Library**

The final revised CERS violation library has been distributed to the Certified Unified Program Agencies (CUPAs). The final revised underground storage tank (UST) violation library reflects the amendments to California UST Regulations, changes to the United States Environmental Protection Agency (U.S. EPA) reporting requirements, and recommendations made by the CUPAs. The new violation library will become effective on October 1, 2018.

If you have questions regarding the violation library, please contact Mr. Tom Henderson at (916) 319-9128 or [Tom.Henderson@waterboards.ca.gov](mailto:Tom.Henderson@waterboards.ca.gov).

### **New U.S. EPA Reporting Requirements**

The State Water Board is currently revising the new Report 6 reporting requirements to reflect the changes to California UST regulations and new U.S. EPA performance measures. CUPAs will continue to collect significant operational compliance (SOC) data through September 30, 2018. Data collection for the new U.S. EPA performance measures, Technical Compliance Rate (TCR), will begin on October 1, 2018. The TCR data collection coincides with the implementation of the new California UST Regulations and amended CERS violation library.

The State Water Board will provide detailed guidance to the CUPAs regarding new inspection and reporting criteria. Additionally, the State Water Board will be hosting multiple informative webinars from August through October to clarify the criteria and address questions. Webinar dates and times will be provided through Lyris email distribution. Please sign up for Lyris here:

[https://www.waterboards.ca.gov/resources/email\\_subscriptions/ust\\_subscribe.html](https://www.waterboards.ca.gov/resources/email_subscriptions/ust_subscribe.html)

Finally, the State Water Board staff will continue working with the California Environmental Protection Agency (CalEPA) to address enhancements to CERS and ensure successful data collection and reporting to the U.S. EPA.

If you have questions regarding the Report 6 or performance criteria, please contact Mr. Tom Henderson at (916) 319-9128 or [Tom.Henderson@waterboards.ca.gov](mailto:Tom.Henderson@waterboards.ca.gov).