



UST Program Update

July 2019

Remote Fill Pipe

Remote fill pipe connected to double-walled Underground Storage Tanks (UST) installed before July 1, 2003 and designed to prevent and not hold standing fluid in the pipes, are exempt from the definitions of *underground storage tank* and *pipe*. Therefore, single-walled remote fill pipe connected to USTs installed before July 1, 2003 meeting Health and Safety Code, section 25281.5(a)(4) are not required to be secondarily contained or permanently closed by December 31, 2025. This does not mean remote fill pipes installed before July 1, 2003 are unregulated since they are not exempted from the definition of underground storage tank *system* and would, at a minimum, be considered ancillary equipment.

Additionally, hazardous substance USTs were required to be upgraded with secondary containment by December 22, 1998. However, nothing in statute or regulation modified the exemptions addressed above, therefore single-walled remote fill pipe connected to hazardous substance underground storage tanks installed before July 1, 2003, and does not hold standing fluid are also exempt from secondary contained requirements and are not required to be secondarily contained or permanently closed by December 31, 2025.

For more information regarding remote fill pipe, please contact Mr. Tom Henderson at (916) 319-9128 or Tom.Henderson@waterboards.ca.gov or Mr. Cory Hootman at (916) 341-5668 or Cory.Hootman@waterboards.ca.gov.

Report 6 Due September 1, 2019

The State Water Resources Control Board (State Water Board) will soon distribute the Report 6 forms and instructions to all Unified Program Agencies (UPAs) for the reporting period January 1 - June 30, 2019. UPAs must submit Report 6 documents to State Water Board staff no later than September 1, 2019. Inspection data used to complete the Report 6 should consist only of Technical Compliance Rate (TCR) performance measures.

The “paper” Report 6 must be submitted by UPAs that have not transitioned to paperless reporting. UPAs approved for paperless reporting must run their Report 6 in the California Environmental Reporting System (CERS), verify their data, and submit a certification form to the State Water Board by the September 1, 2019 deadline. CERS 3.0 UST Program Reports now includes Report

6 data totaling routine inspections and TCR violations. The State Water Board encourages those UPAs who have not been approved for paperless reporting to continue working to correct their data. To request paperless reporting for the next reporting period, see the "[Underground Storage Tank Report 6 Paperless Reporting Requirements](https://www.waterboards.ca.gov/ust/adm_notices/paperless_reporting_requirements.pdf)" for more information (https://www.waterboards.ca.gov/ust/adm_notices/paperless_reporting_requirements.pdf).

See the [Report 6 and U.S. EPA Compliance Measures](https://www.waterboards.ca.gov/ust/leak_prevention/report_6.html) for more information (https://www.waterboards.ca.gov/ust/leak_prevention/report_6.html).

For more information regarding Report 6, please contact Mr. Steven Mullery at (916) 341-5850 or Steven.Mullery@waterboards.ca.gov, or Mr. Tom Henderson at (916) 319-9128 or Tom.Henderson@waterboards.ca.gov.

Proposed UST Biodiesel Regulations

On May 12, 2019 the State Water Board distributed a Lyris email notifying regulators and stakeholders of proposed amendments to California Code of Regulations, title 23, division 3, chapter 16 (UST Regulations), regarding the storage of biodiesel and the opportunity to comment on the amendments. The proposed amendment to section 2631 recognizes diesel containing 20 percent biodiesel (B20) as an equivalent to diesel stored in double-walled UST systems, unless any material or component of the UST system is determined not compatible with B20. The State Water Board also proposes to delete section 2631.2, which provided a temporary variance for biodiesel blends from June 1, 2009 to June 1, 2012, because it is inoperative.

On May 22, 2019 the State Water Board distributed a Lyris email notifying UST regulators and stakeholders of a revised notice regarding the proposed amendments for the storage of biodiesel and the opportunity to comment on the amendments. The revised notice extended the comment period.

The public comment period for the proposed UST biodiesel regulations closed on July 1, 2019 at noon. The next step is to respond to comments received and schedule another public comment period if modifications are made or a Board Meeting to consider a resolution adopting the proposed amendments to the UST Regulations.

The [Proposed Rulemaking Package](https://www.waterboards.ca.gov/water_issues/programs/ust/adm_notices/bio_regs/) can be found on our website (https://www.waterboards.ca.gov/water_issues/programs/ust/adm_notices/bio_regs/)

For more information regarding the proposed UST biodiesel regulations, please contact Mr. Cory Hootman at (916) 341-5668 or Cory.Hootman@waterboards.ca.gov.

New Launch Date for the Revised International Code Council California Specific Exams

The State Water Board has been informed by International Code Council (ICC), to expect the revised ICC California UST Inspector, California UST Service Technician, and California UST System Operator exams to be offered beginning in **August 2019**. The UST Monthly Update for April and June included the announcement that the exams were revised to reflect changes in UST statute, regulations, and reference materials. State Water Board staff will provide notification through Lyris email, the State Water Board UST Program's webpage and the monthly UST Program Update when the revised ICC UST exams begin to be offered. In addition, the exam references located on the State Water Board UST Program's California UST System Exam References webpage will be updated with the latest ICC UST exam reference materials at that time.

For more information regarding the revised California specific ICC UST exams, please contact Mr. Cory Hootman at (916) 341-5668 or Cory.Hootman@waterboards.ca.gov.

When to Review UST Records

During the triennial UPA evaluations, State Water Board has noted some agencies were unaware of the timelines for reviewing UST records submitted to the UPA. On November 29, 2016 the State Water Board sent an email via Listserv, *When to Review Underground Storage Tank Records*, to advise UPAs when to review UST records submitted via CERS or other means. This information has been provided in several UST Program Monthly Updates since, most recently in August of 2017. This information is intended to address concerns regarding UPA staffing limitations while still protecting public health, safety, and the environment and ensuring that the needs of the regulated community are met.

All facility information is required to be reviewed during the annual inspection (Health and Safety Code, Chapter 6.7, § 25288 (a)). This makes the deadline for reviewing UST records the same as the annual inspection date, and under no circumstances longer than one year. State Water Board expects UST testing and maintenance records to be reviewed as soon as possible, but no later than 30 days after the submittal date, and all other records be reviewed for completeness and accuracy, though not necessarily field verified, as soon as possible, but no later than 60 days after the submittal date.

The "[When to Review Underground Storage Tank Records](http://waterboards.ca.gov/water_issues/programs/ust/adm_notices/rvw_ust_records.pdf)" can be found on our website (http://waterboards.ca.gov/water_issues/programs/ust/adm_notices/rvw_ust_records.pdf).

For more information regarding when to review UST records, please contact Ms. Lisa Jensen at (916) 319-0742 or Lisa.Jensen@waterboards.ca.gov.

Underground Storage Tank Program Evaluation Checklist

On December 6, 2017 State Water Board sent out an email via Listserv with the UPA Evaluation Checklist for use as a guidance document in preparation for a performance evaluation. The Checklist was also provided in monthly updates, most recently in August 2018. The checklist is also a useful tool when performing a self-audit for implementation of the Unified Program. This is a reminder that the Evaluation Checklist can be used internally by UPAs. [The UST Program Evaluation Checklist](#) may be found on our website (https://www.waterboards.ca.gov/ust/adm_notices/cupa_evaluation_checklist_cover.pdf).

Please note, the evaluation checklist is considered a “living” document and will be amended as Deficiency Library, statute, regulation, local guidance letters, and State Water Board correspondence are revised.

For more information regarding the checklist, please contact Ms. Lisa Jensen at (916) 319-0742 or Lisa.Jensen@waterboards.ca.gov.

State Water Board CUPA Evaluations

For the third year in this evaluation cycle, the State Water Board used the remote evaluation model. As of the end of June 2019, a total of 86 remote evaluations have been completed since inception in 2016. The remote evaluation model allows State Water Board evaluators, as well as evaluators from other State agencies, to perform evaluations remotely through focused meetings with the UPA via web and telephone conference. State Water Board continues oversight visits with UPAs as part of the evaluation and offers hands-on training using CERS to identify missing, inaccurate, or incomplete information in CERS. Performance evaluation documents, for this cycle or any other evaluation cycle, may be obtained by contacting CUPA@calepa.ca.gov.

For more information regarding State Water Board UPA evaluations, please contact Ms. Jessica Botsford at (916) 341-7338 or Jessica.Botsford@waterboards.ca.gov, Mr. Sean Farrow at (916) 324-7493 or at Sean.Farrow@waterboards.ca.gov or Ms. Lisa Jensen at (916) 319-0742 or Lisa.Jensen@waterboards.ca.gov.