

**STATE WATER RESOURCES CONTROL BOARD
UNDERGROUND STORAGE TANK REGULATIONS
AMENDMENTS FOR IMPLEMENTATION OF TRAINING REQUIREMENTS
PURSUANT TO SB 989 (STATS. 1999, CH. 812) AND AB 1465 (STATS. 2001, CH.154)**

September 19, 2003

MODIFICATIONS TO TEXT OF PROPOSED REGULATIONS

DETAILED STATEMENT OF REASONS

The specific reason for each amended, added, or deleted regulation is summarized below.

Section 2611. Additional Definitions

The definition of “fail safe” is amended to specify that monitoring systems satisfying the definition must shut down the turbine pump in the event of a power outage. This change was needed because electronic monitoring systems will not operate in the event of a power outage, potentially leaving a UST system without any form of leak detection.

Section 2631.1. Compatibility and Permeability Requirements for All New Underground Storage Tanks

The proposed text of section 2631.1(b) was amended to address the fact that some of the testing standards used to satisfy the requirements of existing sections 2631(b) and (d) do not require permeation testing. The effective date for this requirement has also been changed to be consistent with the effective date for the new UST design and construction requirements specified in Assembly Bill 1702 (Stats. 2003, Ch. 42).

Section 2637. Secondary Containment Testing

The proposed text of section 2637(d) has been amended to clarify that, in order to conduct secondary containment testing, both service technicians and licensed tank testers must meet the requirements of subsection 2715(i).

Section 2715. Certification, Licensing, and Training Requirements for Underground Storage Tank Owners, Operators, Installers, Service Technicians, and Inspectors

The proposed text of section 2715(c)(4) has been amended to specify visual inspection of only those containment sumps that have had an alarm in the previous month for which no service record exists. Containment sumps commonly collect dirt, debris, surface water, and releases from product piping; all of which may adversely impact the performance of the containment sumps and associated monitoring equipment. Historically, monitoring equipment sensors located within containment sumps have been raised or disconnected in order to silence alarms. Therefore, visual inspection of containment sumps is an important element in assuring that the UST system is in compliance with applicable regulations and best management practices. SWRCB staff recommends that containment sumps be visually inspected monthly. However, we

also recognize that containment sump lids are large and heavy, and that the need to lift the lids for access should be minimized. As a practical solution that still provides environmental protection, we have proposed that containment sumps be accessed for visual inspection only when an alarm occurred in the past month, but no service records are available.

The proposed text of section 2715(h) has been amended with non-substantive editorial changes.

The proposed text of section 2715(i)(4) has been amended to allow individuals to work under the direct and personal supervision of a qualified service technician. The intention of this change is to allow individuals new to the UST service technician field to gain the experience and knowledge they need in order to pass the ICC Service Technician exam.

The proposed text of section 2715(j)(1) has been amended so that the date referencing newly hired inspectors is consistent with the effective date for inspector certification.