



# UST Program Update December 2015

## **SB612 Amends the Definition of “Tank in an Underground Area”**

On October 2, 2015, the Governor signed Senate Bill 612 (Stats. 2015, Ch. 452) authored by Senate Member Jackson. SB 612, in addition to other changes, amends the definition of a “tank in an underground area.” “Tanks in underground areas” are regulated as aboveground storage tanks (ASTs). A letter with flowcharts notifying Certified Unified Program Agencies (CUPAs) and other interested parties of the underground storage tank (UST) provisions in SB 612, effective January 1, 2016, was sent out via Lyris on November 30, 2015. Some of the provisions, however, do not take effect until the Office of State Fire Marshal (OSFM) adopts and makes effective AST regulations. Consequently the current definition of a “tank in an underground area” will change on January 1, 2016 to only include tank systems storing petroleum to be used or previously used as a lubricant or coolant in a motor engine, transmission, or oil-filled operational/manufacturing equipment (i.e. oil change facilities). The definition will expand to include tank systems storing petroleum and petroleum hazardous waste after the regulations that apply to “tanks in underground areas,” adopted by OSFM, become effective. Further guidance from the State Water Board will follow in the coming weeks. The complete text of SB612 can be found at: [http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=201520160SB612](http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160SB612).

## **UST Report 6 Paperless Reporting Requirements**

In an effort to move forward with paperless reporting of the Report 6, despite the inability of the California Environmental Reporting System (CERS) to be able to accurately tabulate and report all the required data, the State Water Board has created an application form and review process to allow CUPAs to certify their data and report electronically.

If a CUPA has complete and current UST related data in CERS, they may complete the “Request/Certification for Paperless Report 6 Reporting” form to initiate the review process. Dan Firth will review the requesting CUPA’s CERS data, generate a report of items that need to be corrected, and work with the CUPA to get the data sorted out before approval will be granted. Though the first certification may take extensive time to verify the CERS data, future certifications should become less time consuming provided data in CERS is kept current. CUPAs approved for paperless reporting are required to review their data in CERS for each reporting period and complete the “Request/Certification for Paperless Report 6 Reporting” form each time.

CUPAs wishing to initiate paperless reporting must email the “Request/Certification for Paperless Report 6 Reporting” form to Gabriel Herrera at [gabriel.herrera@waterboards.ca.gov](mailto:gabriel.herrera@waterboards.ca.gov). The form can be found at [http://www.waterboards.ca.gov/water\\_issues/programs/ust/adm\\_notices/soc\\_paperless111615.pdf](http://www.waterboards.ca.gov/water_issues/programs/ust/adm_notices/soc_paperless111615.pdf). Please contact Gabriel Herrera at the previously mentioned email or (916) 319-9128 regarding questions about this issue.

## **New OUST Publications for Recently Revised Federal UST Regulations**

The Environmental Protection Agency (EPA) Office of Underground Storage Tanks (OUST) has just released two new publications associated with the recently revised UST regulations.

The first is *MUSTs for USTs* ([www.epa.gov/ust/musts-usts](http://www.epa.gov/ust/musts-usts)). This publication provides a broad understanding of the recent changes made to the UST regulations as well as some helpful tips to ensure compliance with these requirements.

The second is *UST System Compatibility With Biofuels* ([www.epa.gov/ust/ust-system-compatibility-biofuels](http://www.epa.gov/ust/ust-system-compatibility-biofuels)). This publication provides a detailed overview explaining the 2015 compatibility requirements.

EPA OUST is working hard on three additional documents; Operations & Maintenance Manual, Straight Talk on Tanks, and Field Constructed Tanks/Airport Hydrant Systems. We will be sure to keep you posted on the status of these additional publications.

Previously distributed correspondence from the State Water Board outlining the differences between the California’s UST program, and the new federal rule which California UST owners and operators are also required to comply with, is posted at [www.waterboards.ca.gov/ust/tech\\_notices/docs/ca\\_fed\\_regs.pdf](http://www.waterboards.ca.gov/ust/tech_notices/docs/ca_fed_regs.pdf).

## **New UST Steering Committee Members**

The State Water Board would like to welcome Eric Scott and Doug Calhoun to the UST Steering Committee. Eric works for the Glenn County Air Pollution Control District and will take over representing the Northern Region from Jason Boetzer, while Doug works for the Napa County Department of Environmental Health and will be replacing Kasey Foley as the Bay Area Region representative. You can reach Eric at [escott@countyofglenn.net](mailto:escott@countyofglenn.net) or (530) 934-6500. Doug can be reached at [doug.calhoun@countyofnapa.org](mailto:doug.calhoun@countyofnapa.org) or (707) 253-4839.

The State Water Board would also like to take this opportunity to thank Jason Boetzer and Kasey Foley for all their dedicated work while serving on the UST Steering Committee in the previous years. Both Jason and Kasey utilized their vast UST knowledge and rational, informed decision-making skills to help “steer” the UST program through complex and wide-reaching obstacles.

## **Office of Tank Tester Licensing Request for Interior Tank Lining Companies to Submit Notification of UST Lining Activities**

As previously advised in the November State Water Board Monthly update, many CUPAs have expressed significant concern regarding compatibility issues associated with aging UST infrastructure. Particularly, it has been expressed that tank lining is occurring to repair or address these compatibility issues without understanding the root cause. As a result of the significant number of tank lining events going on throughout the state and not having a clear understanding as to why the increased lining events are occurring, **the State Water Board Office of Tank Tester Licensing is requesting that tank lining companies notify the State Water Board 7 days prior to commencing any tank lining activities.** This request is issued in the State Water Board letter below.

[http://www.waterboards.ca.gov/water\\_issues/programs/ust/adm\\_notices/interior\\_tank\\_lining\\_notification\\_letter&form.pdf](http://www.waterboards.ca.gov/water_issues/programs/ust/adm_notices/interior_tank_lining_notification_letter&form.pdf)