



UST Program Update February 2015

When to Review UST Records

The State Water Board has issued a letter dated January 29, 2015 regarding when UST records (submitted via the California Environmental Reporting Systems (CERS) or other method) should be reviewed by the Unified Program Agency (UPA).

Health and Safety Code, section 25288(a) requires all facility information to be reviewed for completeness and accuracy during the annual inspection. Therefore, the deadline for reviewing UST records is the same as the annual inspection date and should not exceed one year.

However, reviewing records only during the annual inspection may allow violations to persist, which then poses a threat to water quality. Also, statute and regulations require facilities to submit certain information in a timely manner with the assumption that it will be reviewed and acted on within a reasonable time frame by the UPA. **For these reasons, the State Water Board expects UST records to be reviewed for completeness and accuracy, though not necessarily field verified, as soon as possible, but no later than 30 days after the submittal is due.**

This letter will be posted on the State Water Board UST Program website Technical Notifications webpage, http://www.waterboards.ca.gov/water_issues/programs/ust/tech_notices.shtml. See the CERS FAQs "Setting Accepted Submittal Status" and "When Can a UST Operating Permit be Issued" for more guidance on reviewing and responding to UST submittals.

New CERS FAQ – Common CERS Reporting Errors

A new FAQ regarding the most common CERS reporting errors that CUPAs and PAs see in Business submittals to CERS has been posted in the Business General Help Section of CERS, <https://cersbusiness.calepa.ca.gov/Help>. The most common CERS reporting errors are as follows:

1. Facility Submittal Element
 - a. Partial submittals of only the facility information.
2. Hazardous Materials Inventory Submittal Element
 - a. Incorrect Chemical and/or Common Name.
 - b. Incorrect selection for the "hazardous materials type" data field.
3. Incorrect information reported for "maximum daily amount" field.
4. Facility marks a "no" for the first business activities form question regarding hazardous materials storage and then they are unable to submit inventory including hazardous wastes.
5. Duplicate documents in same submittal (old and revised version of same form submitted).
6. Facility creates a new duplicate facility in CERS.

7. Business site address incorrect and/or business owner information is incorrect.
8. Documents put in the wrong location. "Locally collected information" seems to be a used incorrectly.

Avoiding these types of errors when submitting to CERS or a local reporting portal will help increase the likelihood that a submittal will be accepted by your local agency, saving time and effort. This FAQ may be updated as the State Water Board receives additional feedback. See the posted FAQ for more information. For questions regarding this FAQ contact Gabe Herrera at (916) 319-9128 or gabriel.herrera@waterboards.ca.gov.

New CERS FAQ – When to Issue a UST Operating Permit

A new FAQ regarding the issuance of a UST operating permit to a facility that has not submitted electronically, or a facility that has submitted but the submittal is not accepted, has been posted in the Regulator General Help Section of CERS, <https://cersregulator.calepa.ca.gov/Help>. If a facility has not submitted the required information electronically through CERS or a local portal, then the UPA cannot issue that facility an operating permit. If a facility has submitted the required information electronically, but the submittal is marginally deficient, then the UPA has the ability to do one of the following:

1. Choose to ‘not accept’ the submittal and issue the operating permit
2. Choose to ‘not accept’ the submittal and NOT issue the permit
3. Choose to ‘accept’ with conditions that a resubmittal be made and issue the operating permit

See the posted FAQ for more information. For questions regarding this FAQ contact Gabe Herrera at (916) 319-9128 or gabriel.herrera@waterboards.ca.gov.

New CERS FAQ – Setting Accepted Submittal Status

A new FAQ regarding what criteria should be considered for accepting submittal and how to report a completeness review versus site inspection verification has been posted in the Regulator General Help Section of CERS, <https://cersregulator.calepa.ca.gov/Help>. In CERS 2 the submittal status ‘accepted’ is used to include either a completeness review that is performed in the office by an inspector or other staff member that may have limited or no direct familiarity with the facility, OR a review that is based on an inspection at the facility to validate the information reported is consistent with the observations by the inspector. Because of this current limitation the comment field should be used to clarify the type of acceptance and to indicate if there are conditions associated with the acceptance. See the posted FAQ for more information. For questions regarding this FAQ contact Gabe Herrera at (916) 319-9128 or gabriel.herrera@waterboards.ca.gov.

Recent ICC Changes

ICC is now issuing new membership wallet cards that can be used to demonstrate a card owner’s membership and certifications. The new card includes a web address and a QR code that go directly to an individualized web page listing the owner’s certifications, expiration dates, and membership status.

ICC has also introduced obtaining continuing educational units (CEUs) through their ICC Preferred Providers program and renewing online. Please note that this does not apply to the California ICC Inspector (UI) certification, which is the only UST ICC certification that can be renewed in California (all others have to be retested for). Paper applications shall continue to be used for renewing the California UST Inspector certification and methods of accruing CEUs shall continue to meet the requirements outlined in the guidance document, *Implementation of Continuing Education Contact Hours for Renewal of California UST Inspector ICC Certification* (revised on July 30, 2007 and can be found at http://www.waterboards.ca.gov/ust/forms/docs/icc_ust_renewal_08292007.pdf).

For more information on UST ICC certifications in California, contact Sean Farrow at 916-324-7493 or at sean.farrow@waterboards.ca.gov or visit the following websites: http://www.waterboards.ca.gov/water_issues/programs/ust/training/icc_cert_info.shtml
ICC Bulletin http://www.iccsafe.org/Certification/Bulletins/UST-AST_EIB.pdf

Tank Tech Inc.'s Internal Stand Alone Tank System (I SATS)

On January 7, 2015 State Water Board staff issued a letter to Tank Tech Inc. outlining how the I SATS can comply with California UST statutes and regulations. The I SATS is considered a new tank installation and the existing tank, in which the I SATS will be installed to, must be permanently closed in accordance with California Code of Regulation, section 2672. The I SATS is subject to Health and Safety Code, section 25290.1 including monitoring through the use of VPH. Because the Tank Tech I SATS may be headed to your jurisdiction at some point in the future, and the intense regulatory and construction complexities, State Water Board staff conducted a thorough review to prepare an outline of compliance for the manufacturer. On January 9, 2015 the letter was distributed via Lyris to UPA managers and inspectors. By sharing this technical review we hope that it will be easier to move through the review, permitting, and inspection process.

While there are other technologies out there that upgrade single wall tanks (and may advise that their product meets CAs double wall tank requirements), this is the only manufactured technology that the State Water Board staff has reviewed that meets the requirements of a double-wall tank. If you have any questions pertaining to the details of this letter, please contact Cory Hootman at (916) 341-5668 or at cory.hootman@waterboards.ca.gov.

Office of Tank Tester Licensing (OTTL) Program

OTTL issued its quarterly report for the period of October – December 2014 on January 7th, 2015. The report contains information regarding individuals whose tank tester's license has expired, been suspended, or individuals that have been placed on probation. To get a recent and full copy of licensed tank testers, visit the website below.

http://www.waterboards.ca.gov/water_issues/programs/ust/leak_prevention/lgs/105_12.shtml

If there are questions regarding the OTTL program, contact Sean Farrow at 916-324-7493 or at sean.farrow@waterboards.ca.gov.