



# UST Program Update April 2016

## Notice of Proposed Regulatory Action

The State Water Resources Control Board (State Water Board) has issued a Notice of Proposed Regulatory Action to amend California Code of Regulations, title 23, division 3, chapter 16 to clarify or make specific the method of reporting for existing reporting requirements. Specifically, the proposed amendments define whether existing reporting requirements are to be submitted electronically to the California Environmental Reporting System (CERS) or GeoTracker, or if they may be submitted via other means, such as mail, email, fax, or hand delivery.

The 45 day public comment period for the proposed regulatory action begins on Friday, March 25, 2016 and ends at 12 p.m. on Tuesday, May 10, 2016.

The Notice of Proposed Regulatory Action to amend California Code of Regulations, title 23, division 3, chapter 16 is available at: <http://www.oal.ca.gov/res/docs/pdf/notice/13z-2016.pdf>

The proposed rulemaking package is available at: [http://www.waterboards.ca.gov/public\\_notices/comments/index.shtml](http://www.waterboards.ca.gov/public_notices/comments/index.shtml)

Additional information and resources related to the proposed emergency regulation are provided on the State Water Board's Underground Storage Tank Leak Prevention webpage: [http://www.waterboards.ca.gov/water\\_issues/programs/ust/adm\\_notices/elect\\_rpt\\_regs/](http://www.waterboards.ca.gov/water_issues/programs/ust/adm_notices/elect_rpt_regs/)

For more information, please contact Gabriel Herrera at [gabriel.herrera@waterboards.ca.gov](mailto:gabriel.herrera@waterboards.ca.gov) or (916) 319-9128.

## Informational Workshop on Permanent Closure of Single-Walled USTs April 26 in Clovis

The State Water Board will be holding an informational workshop to discuss the permanent closure of single-walled underground storage tanks (USTs) in Clovis on April 26, 2016. UST Leak Prevention Program staff will discuss in detail the design and construction requirements, as well as the closure requirements, imposed by Senate Bill 445 (Stats. 2014, Ch. 547). Replacing, Removing, or Upgrading Underground Storage Tanks (RUST) Program staff will discuss loan and grant funding opportunities available to assist eligible small business owners/operators to meet the single-walled UST removal requirement. Lastly, UST Cleanup Fund staff will present information regarding cleanup funds available to assist eligible owners/operators with cleaning up petroleum-related contamination from the UST.

The workshop is from 9:00 a.m. to 1:00 p.m. on Tuesday, April 26, 2016 in the Liberty Room of the Clovis Veterans Memorial District at 808 4<sup>th</sup> Street, Clovis, CA 93612.

For more information see our information page located at:

[http://www.waterboards.ca.gov/ust/single\\_walled/docs/single\\_walled\\_closure\\_workshop\\_april\\_2016.pdf](http://www.waterboards.ca.gov/ust/single_walled/docs/single_walled_closure_workshop_april_2016.pdf) or contact Jessica Botsford at [Jessica.botsford@waterboards.ca.gov](mailto:Jessica.botsford@waterboards.ca.gov) or (916) 341-7338.

## **New Enhanced Vapor Recovery Determination Letter**

A new enhanced vapor recovery (EVR) determination letter, dated March 21, 2016, has been posted to the State Water Board's EVR Multi-Agency Review Process website at

[http://www.waterboards.ca.gov/water\\_issues/programs/ust/leak\\_prevention/workshopfeb282005.shtml](http://www.waterboards.ca.gov/water_issues/programs/ust/leak_prevention/workshopfeb282005.shtml)

This EVR determination letter addresses Franklin Fueling Systems' request for the addition of the Defender 708-59X-9YZ Series overfill prevention valve and the combining of the Phil-Tite and the EBW EVR phase I systems into a single phase I EVR system.

In order to account for all the limitations of the combined EVR systems, previously issued determination letters for the Phil-Tite and EBW EVR phase I systems have been combined into one determination letter. That EVR determination letter can be found at

[http://www.waterboards.ca.gov/ust/leak\\_prevention/docs/evr\\_determination/ffs\\_03212016.pdf](http://www.waterboards.ca.gov/ust/leak_prevention/docs/evr_determination/ffs_03212016.pdf)

Please contact Cory Hootman at [cory.hootman@waterboards.ca.gov](mailto:cory.hootman@waterboards.ca.gov) or (916) 341-5668 for further information.

## **Revised CERS FAQ Posted**

The CERS FAQ titled, "Is an ICC certification required to review and accept UST CERS submittals" has been updated to reflect new information. The updated FAQ makes it clear that non-ICC certified staff may change a submittal status to "not accepted" for an older, non-reviewed UST submittal when there is a newer UST submittal available for review. This clarification may help CUPAs deal with backlogged submittals. Links to the FAQ can be found on the State Water Board's website at

[http://www.waterboards.ca.gov/water\\_issues/programs/ust/cers/faqs.shtml](http://www.waterboards.ca.gov/water_issues/programs/ust/cers/faqs.shtml).

For more information, please contact Gabriel Herrera at [gabriel.herrera@waterboards.ca.gov](mailto:gabriel.herrera@waterboards.ca.gov) or (916) 319-9128.

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

As previously advised in the March 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)