



UST Program Update July 2017

Contractor Licenses Requirements for Work Associated with Underground Storage Tanks

The State Water Resources Control Board (State Water Board) has become aware of inconsistencies between the underground storage tank (UST) statutes and regulations with those of the Contractor State License Board (CSLB). The State Water Board notified all stakeholders of this in a letter dated June 20, 2016. The State Water Board intends to correct this discrepancy in future regulations.

The State Water Board does not have authority to dictate CSLB license requirements or qualifications for UST Installer or Service Technicians. The CSLB statutes and regulations supersede UST regulations regarding the contractor license classifications, qualifications and descriptions. Contractors must ensure the work they are performing on USTs meets the classification of the license as described by the CSLB.

Additionally, individuals with a current Tank Tester License have the authority to perform UST work however, these provisions do not supersede the CSLB license requirement or for work greater than \$500 in value. Work performed by individuals with a Tank Tester License may also require a CSLB license if the work exceeds \$500. Additionally, work on a larger project may not be broken down to smaller amounts of less than \$500 in an attempt to meet the \$500 exemption.

The State Water Board requests owners and operators verify that all contractors working on their facilities are properly licensed as required by the CSLB. Unified Program Agencies (UPA) must not approve permit requests or approve work performed by individuals that do not hold the required license(s). In addition, individuals that perform work for which they are not properly licensed must be reported to the CSLB Enforcement Division.

For additional clarification regarding contractor licensing requirements, please visit the CSLB website at www.cslb.ca.gov or contact CSLB at (800) 321-2752 or classifications@cslb.ca.gov.

UST Surcharge Increase

Effective June 2, 2017 the UST surcharge increased from \$15 to \$20. UPAs may begin collecting the revised surcharge now, however must assess and collect the new UST surcharge starting August 1, 2017.

The UST surcharge is an assessment on each regulated UST and is used to fund necessary and reasonable costs of the State Water Board for program implementation, ongoing maintenance and

oversight of the Unified Program. This is the first of two proposed UST surcharge increases by the State Water Board. The Unified Program UST surcharge is authorized by the California Health and Safety Code, Division 20, Chapter 6.11, section 25404.5(b), and the California Code of Regulations, Title 27, Division 1, Subdivision 4, Chapter 1, Section 15240.

For more information, please contact Ms. Melinda Blum with CalEPA at (916) 327-9560 or melinda.blum@calepa.ca.gov

UST Program Email List

The State Water Board, Underground Storage Tank Program uses electronic subscription mailing list (ListServ) for sending information to interested parties. We have noticed many new UST faces around and since knowledge is power, we encourage everyone reading this monthly update to find one new person in his or her UST community (new regulator, designated operator, manufacturer, etc.) and direct them to the UST subscription page. UPA inspectors and managers have an exclusive subscription requiring approval by State Water Board staff. All other stakeholders are encouraged to sign up for their UST updates. The subscription page is found at

http://www.waterboards.ca.gov/resources/email_subscriptions/ust_subscribe.shtml

For questions regarding the UST Program ListServ, please contact Mr. Tom Henderson at (916) 319-9128 or tom.henderson@waterboards.ca.gov.

Petroleum Equipment Institute, UST Testing Guide

The Petroleum Equipment Institute (PEI) has released the *RP1200: Recommended Practices for the Testing and Verification of Spill, Overfill, Leak Detection and Secondary Containment Equipment at UST Facilities (2017 edition)*. This edition updates test methods and procedures. Of note in the 2017 edition:

- Affirmation that in hydrostatic testing of sumps, the test water should be a minimum of 4 inches above the uppermost sump penetration or sump sidewall seam (whichever is higher).
- Affirmation of the 2012 recommendation that ball float valves should be removed and replaced with another type of overfill prevention device.
- Vacuum testing standards for double-walled tanks in Chapter 4 have been changed to bring greater consistency to the procedures for fiberglass and steel tanks.
- Definitions in Chapter 2 are reworded to match language used in other PEI recommended practices.

To better understand key provisions of the recently released RP 1200, PEI is hosting a free webinar 10:00 a.m. CDT Wednesday, July 12 for state regulators and PEI members. Register at <https://bit.ly/2sksdrZ>. Registrants will receive a confirmation email with instructions for joining the webinar. For more information on RP1200 or the webinar, please visit <https://www.pei.org/rp1200>

State Water Resources Control Board Certified Unified Program Agency Evaluations

The State Water Board continues progress with Certified Unified Program Agency (CUPA) evaluations using the new remote evaluation model. As of the end of June 2017, thirty-five (35) remote evaluations have been completed. The initial reports are available for review on CalEPA's Unified Program Regulator Directory at <http://cersapps.calepa.ca.gov/Public/Directory/CUPAEvaluationDocuments>.

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 CUPA via web and telephone conference. State Water Board continues oversight visits with CUPAs as part of the evaluation and offers hands-on training using CERS to identify missing, inaccurate or incomplete information in CERS.

For more information regarding State Water Board CUPA evaluations, please contact Mr. Sean Farrow at (916) 324-7493 or sean.farrow@waterboards.ca.gov or Ms. Lisa Jensen at (916) 319-0742 or lisa.jensen@waterboards.ca.gov.