



UST Program Update June 2018

Adopted Underground Storage Tank Regulations

During the June 5, 2018 Board Meeting, the State Water Resources Control Board (State Water Board) adopted the proposed amendments to the California Code of Regulations, title 23, division 3, chapter 16 (California Underground Storage Tank (UST) Regulations). These new regulations are at least as stringent as the 40 Code of Federal Regulations, part 280.

A copy of the draft text of the adopted amendments is provided at the web address below.

https://www.waterboards.ca.gov/board_info/agendas/2018/jun/060518_3_att_a_strike.pdf

The next step is for the State Water Board to submit the completed rulemaking package to the Office of Administrative Law for a 30-business day review before filing with the Secretary of State. The adopted amendments become effective on the first day of the quarter after filing the rulemaking package with the Secretary of State unless the proposed amendments provide a different effective date. State Water Board staff expect the proposed amendments to become effective the quarter beginning October 1, 2018.

Information on the Title 23 Federal Reconciliation Proposed Regulations is available at:

https://www.waterboards.ca.gov/water_issues/programs/ust/adm_notices/fed_rec_regs.

If you have questions regarding this matter, please contact Mr. Cory Hootman at

Cory.Hootman@waterboards.ca.gov or (916) 341-5668.

New U.S. EPA Reporting Requirements

The State Water Board is working with the California Environmental Protection Agency (CalEPA) to address enhancements to the California Environmental Reporting System (CERS) and ensure successful data collection and reporting to United States Environmental Protection Agency (U.S. EPA). Changes to the significant operational compliance (SOC) reporting (Report 6) are the result of amendments to the California UST Regulations and 40 Code of Federal Regulations, part 280.

Certified Unified Program Agencies (CUPAs) will continue to collect SOC data through September 30, 2018. Data collection for the new U.S. EPA performance measures, Total Compliance Reporting (TCR), will begin on October 1, 2018. The TCR data collection coincides with the implementation of the new California UST Regulations and amended CERS violation library. The Report 6 submittal for February 2019 will be reported as SOC data for facilities inspected from July 1 through September 30, and as TCR data for inspections performed between October 1 through

December 31, 2018. The State Water Board will provide detailed guidance to the CUPAs regarding new inspection and reporting criteria.

If you have questions regarding changes to the performance reporting criteria, please contact Mr. Tom Henderson at Tom.Henderson@waterboards.ca.gov or (916) 319-9128.

Revised CERS Violation Library

The State Water Board has proposed changes to the CERS violation library. These changes are the result of amendments to California UST Regulations and changes to the U.S. EPA reporting requirements. The proposed violation library has been reviewed by the CalEPA violation library workgroup, the CUPAs, and the CUPA Forum Board. Currently the violation library is in the final approval process and should be available to the CUPAs in the next few weeks. The revised violation library, the amended California UST Regulations, and the new U.S. EPA TCR data collection will all become effective on October 1, 2018.

If you have questions regarding changes to the violation library, please contact Mr. Tom Henderson at Tom.Henderson@waterboards.ca.gov or (916) 319-9128.

California UST Leak Prevention 2017 Annual Report

The U.S. EPA, in collaboration with the State Water Board, published the California UST Leak Prevention: January – December 2017 Annual Report. This report summarizes several topics such as the status of CERS Implementation, new releases, and the number of single-walled UST. Data used for the report was extracted from CERS, California GeoTracker database, and internal State Water Board reports. The report reflects 99.2% of UST facilities are now populated in CERS, seven new releases reported in 2017 and approximately 3,000 UST systems with single-walled components remain in California.

The report can be found on the website at:

https://www.waterboards.ca.gov/water_issues/programs/ust/adm_notices/jan_dec2017_fnl_cal_ust_annual_rpt.pdf

If you have questions regarding this report, please contact Mr. Tom Henderson at Tom.Henderson@waterboards.ca.gov or (916) 319-9128.

Single-Walled Underground Storage Tank Closure Initiative

The State Water Board with assistance from the U.S. EPA has held three educational workshops and the first webinar in support of the Single-Walled Underground Storage Tank Closure Initiative (Initiative). The Initiative is intended to maximize the number of single-walled USTs permanently closed prior to the December 31, 2025 deadline. The Initiative intends to educate UST owners/operators on funding opportunities through the Replacing, Removing, or Upgrading Underground Storage Tanks (RUST) Program and the UST Cleanup Fund.

The State Water Board is currently preparing a webinar to present Initiative information for those who could not attend the previous events. The webinar link and time are provided below. Registration is not required; however, the video capacity is limited to 125 connections, and a call-in capacity of 300 incoming telephone lines.

Date: Thursday, June 28, 2018

Time: 1:00 to 3:00 p.m.

Webinar Speakers: Tom Henderson, Janice Clemons, and Bridget Freeborn

The link to the webcast is available at:

<https://stateofcaswrcbweb.centurylinkccc.com/CenturylinkWeb/LauraFisher>

Enter your name and email address and click on Join Meeting.

After you have accessed the website, call in on your telephone.

Telephone: 1-720-279-0026

Participant pass code: 683375#

Attendees may pose written questions during the webinar. To ask a question, click on the Q&A icon located at the top of the page. Questions will be addressed at the end of the webinar.

For questions regarding the Initiative or upcoming webinar, please contact

Ms. Brittany Baugher at Brittany.Baugher@redhorsecorp.com or (619) 241 4609 ext. 857 or

Ms. Grasiela Gama at Grasiela.Gama@redhorsecorp.com or (619) 241 4609 ext. 857 or

Mr. Tom Henderson at Tom.Henderson@waterboards.ca.gov or (916) 319 9128.

UST Lining and Repair – Notification Request

The State Water Board continues to see a large number of UST entries for primary repairs and linings. To better understand the root cause of the increase in repairs and lining, the State Water Board is requesting UPAs to notify the State Water Board prior to expected UST entries. The request for notification allows the State Water Board to follow the process and collect relevant information to assist in proper updates to the regulations. The State Water Board has revised the previously issued Tank Lining Notification and request the *Underground Storage Tank Entry Notification* form be used for all UST entries, including lining, periodic inspections, and repairs. The revised document can be found at: https://www.waterboards.ca.gov/ust/adm_notices/cupa_ust_entry_notification.pdf

The State Water Board is also finding that UST owners or operators are not adequately demonstrating the structural integrity of the USTs prior to lining or repairing. Some of the problems observed by the State Water Board are:

- Lining installed without structural integrity testing performed by a California State Licensed Engineer.
- UPAs not being presented with structural certifications prior to repair or lining.
- UPAs not reviewing structural certifications prior to authorizing repair or lining.
- Lining and repairs being performed without UPA notification or permits.

- Improper contractor licenses being utilized to perform tank entries.

For questions or notifications regarding notification of UST lining, repair, or entry, please contact Mr. Tom Henderson at Tom.Henderson@waterboards.ca.gov or (916) 319-9128.