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## State Water Resources Control Board

August 15, 2017

To: Unified Program Agencies

### **INSPECTION OF ABANDONED UNDERGROUND STORAGE TANKS**

The State Water Resources Control Board (State Water Board) and the United States Environmental Protection Agency (U.S. EPA) discovered during the recently concluded Abandoned Underground Storage Tank (AbUST) Initiative that AbUSTs are not routinely inspected by Unified Program Agencies (UPAs). The State Water Board and the U.S. EPA also discovered that UPAs are not routinely including AbUST compliance information in Report 6 or reporting these USTs in the California Electronic Reporting System (CERS). This letter is to clarify regulatory requirements for conducting inspections of AbUST facilities, and when AbUST information is required to be included in Report 6 and CERS.

California Health and Safety Code, division 20, chapter 6.7, section 25288 requires all USTs be inspected annually, including AbUSTs. USTs are considered abandoned when the UST is out of service and the operating permit requirements are not being implemented, but the UST has not been properly closed or removed, or decommissioned before January 1, 1984.

Understanding that many AbUSTs have limited or no site access, the State Water Board has developed minimum criteria for documenting and reporting compliance of AbUSTs. The minimum inspection and reporting criteria for AbUSTs with limited or no site access is included in the attached *Abandoned Underground Storage Tank Compliance Checklist*. UPAs with full site access to AbUSTs will perform a standard UST inspection in accordance with the California Health and Safety Code and the UPA Inspection and Enforcement Plan.

The number of UST compliance inspections conducted, significant operational compliance determinations, and number of active USTs shall include AbUSTs. UPAs are required to include AbUSTs inspections data in the Report 6, due March 1, 2018. Further, UPAs are required to ensure that AbUSTs installed after January 1, 1984 or those that were previously regulated, as described in the CERS [Frequently Asked Questions](#), are included in CERS with the UST element set to "Applicable".

The State Water Board and U.S. EPA will monitor the UPAs progress with conducting annual compliance inspections, reporting Significant Operational Compliance, and adding appropriate AbUSTs to CERS. For additional clarification, please contact Mr. Tom Henderson at (916) 319-9128 or [tom.henderson@waterboards.ca.gov](mailto:tom.henderson@waterboards.ca.gov).

Sincerely,

Laura S. Fisher, Chief  
UST Leak Prevention Unit &  
Office of Tank Tester Licensing

Attachment: *Abandoned Underground Storage Tank Compliance Checklist*

cc: [Via email only]

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## Abandoned Underground Storage Tank Compliance Checklist

Facility Name:	Date of Inspection: Time In: <span style="float: right;">Time Out:</span>
Address:	Inspected by: ICC No.
Contact:	Type of Inspection: <input type="checkbox"/> Annual Compliance <input type="checkbox"/> Re-Inspection <input type="checkbox"/> Complaint
Phone:	Permission for Inspection Granted by:

CERS Violation Number	Name	Description	Citations	Violation	Comments
2030021	Failure to Obtain Operating Permit	Failure to obtain a valid permit to operate from the CUPA.	HSC 6.7 25284	<input type="checkbox"/>	
2030038	Permanent Closure	UST system was abandoned or not properly closed, or failure to comply with all permanent closure requirements.	23 CCR 16 2670, 2672; HSC 6.7 25298	<input type="checkbox"/>	
2030035	Unsafe UST Operation ( <b>RP</b> )	Failure to operate the UST system to prevent unauthorized releases including leaks, spills, and/or overfills.	HSC 6.7 25292.1(a)	<input type="checkbox"/>	
2030039	Permit Conditions	Failure to comply with any of the applicable requirements of the permit issued for the operation of the UST system.	23 CCR 16 2712	<input type="checkbox"/>	
2030002	Annual Leak Detection Equipment Maintenance	Failure to have a properly qualified service technician test leak detection equipment as required every 12 months.	23 CCR 16 2638(a)&(b), 2641(j), 2715(i)	<input type="checkbox"/>	
2030043	Monitoring Equipment ( <b>RD</b> )	Failure of the leak detection equipment to be installed, calibrated, operated, and/or maintained properly.	23 CCR 16 2638(a), 2641(j)	<input type="checkbox"/>	
2030048	Secondary Containment Testing	Failure to conduct secondary containment testing every 36 months	23 CCR 16 2637	<input type="checkbox"/>	

## Abandoned Underground Storage Tank Compliance Checklist

	<b>Tank Closure Conditions</b>	<b>Yes</b>	<b>No</b>	<b>Unknown</b>
	Residual amounts of hazardous substances have been properly removed and disposed. HSC 25298(c)(1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Tank systems have been properly sealed. HSC 25298(c)(2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	<b>Report 6 Information</b>	<b>Yes</b>
	This facility is in compliance with Release <u>Detection</u> Requirements Only. (No violations in boxes marked RD, but one or more in boxes marked RP).	<input type="checkbox"/>
	This facility is in compliance with Release <u>Prevention</u> Requirements Only. (No violations in boxes marked RP, but one or more in boxes marked RD.)	<input type="checkbox"/>
	This facility is in compliance with <b>both</b> Release Detection and Release Prevention requirements. ("No violations in boxes marked RD or RP.)	<input type="checkbox"/>
	This facility is NOT in compliance with both Release Detection and Release Prevention requirements (One or more violations marked in (both) boxes RD and RP.)	<input type="checkbox"/>
	<b>Red Tag Information</b>	<b>Yes</b>
	A Red Tag was issued to this facility based on the results of this inspection. <b>Red Tag #</b>	<input type="checkbox"/>
	<b>Reason for Red Tag (Choose minimum of one):</b>	
	1. Violation threatening/causing liquid release. <i>CCR 2717(a)(1)</i>	<input type="checkbox"/>
	2. Violation impairing ability of UST system to detect a leak. <i>CCR 2717(a)(2)</i>	<input type="checkbox"/>
	3. Chronic violation or committed by recalcitrant violator. <i>CCR 2717(a)(3)</i>	<input type="checkbox"/>