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Arnold Schwarzenegger
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LG 133-2 (Supersedes LG 133-1)

UNDERGROUND STORAGE TANK (UST) RESPONSE PLAN - MODEL FORM

(Available electronically at <http://www.waterboards.ca.gov/ust/>)

To: Local Agencies and Other Interested Persons

The purpose of this letter is to transmit the recently updated response plan form ([Enclosure](#)). The form reflects current underground storage tank (UST) requirements. This form was developed to help local agencies review response plans before issuing or renewing UST operating permits. We have made every effort to ensure that the enclosed form can be applied to a variety of UST system designs and configurations, and that all statutory and regulatory requirements for response plans are included (Previously LG 133-1 included a Monitoring Plan, which now is in regulation and therefore no longer part of this guidance letter).

Response Plan Requirements

As a reminder, this form was developed because all UST owners or operators are required to maintain written emergency response plans at their UST facilities¹. Local agencies must include or reference the response plan in all UST operating permits². Inspectors may review the procedures and plans with operators during inspections to verify that copies are maintained at the facility and operators remain familiar with them. The information contained in the response plan is a condition of the UST operating permit³. Therefore, the permit holder must notify the local agency within 30 days of any changes to the response plan, unless the permit holder is required to obtain approval before making any change⁴.

¹ California Code of Regulations, Title 23, Section 2712 (b) and (i).

² California Code of Regulations, Title 23, Section 2712 (c).

³ California Code of Regulations, Title 23, Section 2712.

⁴ California Code of Regulations, Title 23, Section 2632 (d) and 2641(h).

Use of Response Plan Form

Use of the enclosed form is optional. We recognize that some agencies are already using their own form and may not have a need for this form. We encourage you to use the enclosed form and provide us your feedback as to any needed improvements.

If you have questions regarding this document, please contact the UST Program at (916) 341-5775 or via e-mail at ust@waterboards.ca.gov.

Sincerely,

Original signed by

Kevin L. Graves, P.E.
Underground Storage Tank Program Manager

[Enclosure](#)