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# State Water Resources Control Board

## Division of Water Quality

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May 17, 2011

### LG-159: ANNUAL UNDERGROUND STORAGE TANK COMPLIANCE INSPECTION

(Available electronically at  
[http://www.waterboards.ca.gov/water\\_issues/programs/ust/leak\\_prevention/lgs/](http://www.waterboards.ca.gov/water_issues/programs/ust/leak_prevention/lgs/))

To: Local Agencies and Interested Parties

The purpose of this letter is to clarify the necessary elements of the annual Underground Storage Tank (UST) facility compliance inspection. California Health and Safety Code (H&SC) Chapter 6.7, section 25288(a), requires local implementing agencies to inspect all UST facilities within their jurisdiction at least once a year. The H&SC also requires the local agency to verify that UST systems meet the required design and construction standards, and are monitored, tested, and operated in safe condition according to applicable state laws and regulations. This LG letter identifies the main elements covered in an annual compliance inspection under state law [H&SC 6.7, section 25288 and Title 23 California Code of Regulations (CCR), section 2712].

It is important to note that only International Code Council (ICC) California UST inspectors<sup>1</sup> may conduct the inspection outlined below or, the local agency shall require the facility permit holder to employ a special inspector with current ICC Certification<sup>2</sup>. The local agency cannot delegate the annual UST compliance inspection to other individuals who may be on-site during the annual inspection (i.e., licensed and/or certified service technicians or contractors). Nor can the local agency delegate any in office file review portion of the annual inspection to staff that are not ICC certified. If the local agency opts for special inspectors, the annual UST permitting fees must be adjusted to reflect the reduction in local agency inspector time in the field.

The required annual UST compliance inspection shall include, but is not limited, to verifying:

- **Facility Record keeping and Documentation Retention**

CCR, section 2712(b) requires certain paperwork to be kept on-site or off-site at a readily available location, if approved by the local agency. During the annual

<sup>1</sup> Excluding an employee whose employment is less than 180 days [CCR 2715(j)(1)].

<sup>2</sup> The special inspector's authority shall be the same as that of the local agency as set forth in subdivision (a) [H&SC, section 25288(c)].

compliance inspection, local agency inspectors need to review critical documentation to verify the compliance of the facility. Types of documents the local agency inspectors need to review to determine compliance include: alarm history reports, designated UST operator monthly reports, employee training records, maintenance records, statistical inventory reconciliation reports, line and tank tightness test, unauthorized release recording/reporting, and other facility compliance documents. The local agency (usually the inspector) must allow the UST facility at least 36 hours to bring records stored off-site to the facility so that the inspector can review them on-site.

- **Visual Inspection**

Local agency inspectors must visually inspect UST components and containment areas to verify that the UST system is in proper working order. Components of an UST system that the inspector looks are to include, but not limited to, the monitoring panel, under-dispenser containment, sumps, spill buckets, and any other equipment used for leak prevention and detection.

Special tools and equipment may be needed in order to access portions of the UST system, so it is useful to have a qualified technician on-site during the inspection. Most inspectors do not touch UST system components; they observe service technicians or contractors do the hands-on work. Where feasible, local agency inspectors should schedule the annual compliance inspection to coincide with annual monitoring equipment certification.

- **Functionality of Leak Detection**

The inspector must verify functionality of leak detection equipment during the annual compliance inspection. The inspector should have a copy of the UST facility monitoring plan available in paper or electronic format to make sure that the equipment on-site matches the equipment specified in the plan. This verification can occur in one of two ways:

1. The inspector can observe the testing of the monitoring equipment during the annual monitoring system certification (recommended by the State Water Board) or
2. The inspector can review the current or most recent annual monitoring certification form to verify that the equipment works as intended. Validation of the leak detection equipment is crucial to obtaining reliable monitoring data. Furthermore, if the inspector reviews the monitoring certification form, rather than watching the equipment tested, the inspector must still conduct an on-site inspection. The annual monitoring certification only checks leak detection functionality; it does not constitute a complete compliance inspection. Therefore, scheduling for a service technician or designated operator is still required for an on-site inspection so they can provide access to all containment areas for visual inspection.



Note: Prior to and during the inspection, validating leak detection testing equipment is very important to obtaining reliable results. The inspector should also verify the certifications and qualifications of the service technician performing the annual monitoring certification.

Note: Determination of Significant Operational Compliance (SOC) criteria for leak detection is based on the test results at the time of inspection, not after adjustments, repairs or replacement of malfunctioning equipment.

- **Facility Operation in Accordance with Permit**

The inspector needs to verify that each facility is being operated according to the conditions specified in the UST operating permit. The local agency either lists these conditions on the operating permit or attaches the conditions in required documents, including the monitoring plan. If equipment is found to be faulty or operated improperly, the inspector must verify that the problem is corrected according to the applicable document.

- **Compliance Inspection Report Writing**

Local agency inspectors are required to prepare a compliance report detailing their findings<sup>3</sup>. This could include the inspection checklist, observations, and/or notice of violations.

Attached is a handbook which outlines elements that are important when conducting an annual UST compliance inspection. The attached handbook is intended to be supplemental guidance to the requirements outlined above. The handbook is also intended to enhance, and be used in conjunction with, existing inspection procedures established in the agency's inspection and enforcement plan. The attached handbook also includes a model inspection checklist with SOC items identified to help determine SOC compliance. This detailed checklist is designed to break down compliance elements, which provides for a more comprehensive inspection and can be used to provide consistency between different inspectors.

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<sup>3</sup> After an inspection conducted pursuant to subdivision (a), the local agency shall prepare a compliance report detailing the inspection and shall send a copy of this report to the permit holder and the owner or operator if the owner or operator is not the permit holder [H&SC 25288(b)]



If you have any questions regarding this document, please contact the UST Program at (916) 341-5775 or via email at [ust@waterboards.ca.gov](mailto:ust@waterboards.ca.gov).

Sincerely,



for

Kevin L. Graves, Manager  
Underground Storage Tank Program

Enclosure 1: Annual UST Compliance Inspection Handbook

