
State Water Resources Control Board

August 31, 2018

LOCAL GUIDANCE 164-3 REPORTING OF TECHNICAL COMPLIANCE RATE

To: Unified Program Agencies

The purpose of this letter is to outline the United States Environmental Protection Agency (U.S. EPA) reporting requirements of Technical Compliance Rate (TCR) for underground storage tank (UST) facilities using the Semi-Annual UST Program Report 6.

In July 2015, the U.S. EPA revised the federal UST regulations. In conjunction, UST compliance performance measures were revised to reflect the federal regulation changes. States are required to report on the new compliance performance measures once the state has adopted regulations at least as stringent as the federal regulations. California reconciled UST regulations become effective on October 1, 2018.

REPORTING REQUIREMENTS

The new U.S. EPA TCR performance measures will be submitted by the Unified Program Agencies (UPAs) to the State Water Board on a semiannual basis as part of the Report 6. Reporting periods are January 1 through June 30 and July 1 through December 31. UPAs must submit Report 6 to the State Water Board by March 1 and September 1 for the most recently completed reporting period.

The Report 6 is authorized by California Code of Regulations (CCR), title 23, section 2713(c) and CCR title 27, section 15290(b). The Report 6 form and instructions can be downloaded from the web link listed below:

<https://www.waterboards.ca.gov/ust/forms/>

The purpose of TCR is to assess national compliance with the federal UST program as determined by the U.S. EPA. The performance measures are required to be determined by the condition of the site at the beginning of the compliance inspection. For example, if a TCR violation is corrected during the inspection, the facility would not comply with the TCR requirement.

Data will be collected on seven performance measures, four of which will be used to determine the combined measure. When determining the combined compliance rate, a facility must comply with all four technical compliance performance measures which include spill containment, overfill prevention, cathodic protection and release detection (USEPATCR 9a through d) to meet the combined measure (USEPATCR 9e). Federal reporting also requires data collection on the following UST compliance performance measures: designated operator training (USEPATCR 10), financial responsibility (USEPATCR 11), and designated operator inspection requirements (USEPATCR 12).

To ensure simplicity, consistency, and accuracy, the California Environmental Reporting System (CERS) violation library identifies the violations associated with a compliance measure by using the USEPATCR# identifier in the violation name. Please ensure that all violations identified with USEPATCR# are included in the UPAs inspection checklists.

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

Sincerely,



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