



UST Program Update January 2016

\$2.4 Million Judgment Against the Los Angeles World Airports

The State Water Resources Control Board's (State Water Board's) Office of Enforcement has reached a \$2.4 million settlement with the Los Angeles World Airports (LAWA) for violating leak prevention requirements for hazardous substances in underground storage tanks (USTs) located in the Los Angeles City Fire certified unified program agency (CUPA) jurisdiction at the Los Angeles International Airport, LA/Ontario International Airport, and the Van Nuys Airport.

The investigation began in 2011 under the Government Owned and/or Operated Tanks (GOT) Initiative. The alleged violations included failure to monitor tanks and product piping, late testing of monitoring equipment, failure to install secondary containment, and the discovery of three unpermitted and unmonitored USTs.

Under the terms of the settlement, LAWA will pay \$1.2 million in civil penalties, \$100,000 for reimbursement of enforcement costs, and \$1.1 million will be suspended on the condition that LAWA complete several environmental improvements at their facilities and maintain compliance with UST requirements for five years.

For more information on this and other Office of Enforcement judgments, visit their complaints, judgments, disciplinary actions, and new releases website at http://www.waterboards.ca.gov/water_issues/programs/enforcement/orders_actions.shtml.

SB612 Amends the Definition of "Tank in an Underground Area"

On October 2, 2015, the Governor signed Senate Bill 612 (Stats. 2015, Ch. 452) authored by Senate Member Jackson. SB 612, in addition to other changes, amends the definition of a "tank in an underground area." "Tanks in underground areas" are regulated as aboveground storage tanks (ASTs). A letter with flowcharts notifying CUPAs and other interested parties of the UST provisions in SB 612, effective January 1, 2016, was sent out via Lyris on December 7, 2015. Some of the provisions, however, do not take effect until the Office of State Fire Marshal (OSFM) adopts and makes effective AST regulations. Consequently the current definition of a "tank in an underground area" will change on January 1, 2016 to only include tank systems storing petroleum to be used or previously used as a lubricant or coolant in a motor engine, transmission, or oil-filled operational/manufacturing equipment (i.e. oil change facilities). The definition will expand to include tank systems storing petroleum and petroleum hazardous waste after the regulations that apply to "tanks in underground areas," adopted by OSFM, become effective. The letter from the State Water Board, along with the flow charts, can be found at

http://www.waterboards.ca.gov/water_issues/programs/ust/tech_notices/docs/sb612_20151204.pdf.

The complete text of SB612 can be found at:

http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160SB612.

Please contact Cory Hootman at cory.hootman@waterboards.ca.gov or (916) 341-5668 for further information.

New CERS FAQs on UST Tank ID Numbers

Two new FAQs have been posted on the California Environmental Reporting System (CERS) website. The first FAQ, titled, “Can or Should I Change a UST Tank ID Number” is located in the Business User FAQs and instructs UST owners and operators that they should not change their UST ID numbers. The second FAQ is located in the Regulator FAQs and instructs UST regulators not to accept submittals where the UST owner or operator has changed the UST ID numbers. The reason UST ID numbers should not be changed is that the CERS program will create a new UST in the system when a UST ID number is changed, rather than simply changing the current UST’s number. This will cause the facility to report more USTs than it actually has, and there is currently no good way to undo the change. You can find the FAQs on the CERS help pages at <http://cers.calepa.ca.gov/help-faq's>, or find the links on the State Water Board’s CERS FAQ page at http://www.waterboards.ca.gov/water_issues/programs/ust/cers/faqs.shtml.

Please contact Gabriel Herrera at gabriel.herrera@waterboards.ca.gov or (916) 319-9128 if you have any questions.

End of July – December Reporting Period: Report 6 due March 1

The July – December 2015 reporting period is over and the State Water Board will send out the Report 6 form and instructions shortly. All CUPAs must submit Report 6 data to the State Water Board in a timely manner, but no later than March 1, 2016. Except for a small handful of CUPAs that have been approved for paperless reporting, all CUPAs must still submit the “paper” Report 6. Those CUPAs that have been approved for paperless reporting must still run reports in CERS to verify their data and submit a certification form to the State Water Board by the March 1 deadline. To request paperless reporting for the next reporting period, see the “Underground Storage Tank Report 6 Paperless Reporting Requirements” document found at

http://www.waterboards.ca.gov/water_issues/programs/ust/adm_notices/soc_paperless111615.pdf .

Please contact Gabriel Herrera at gabriel.herrera@waterboards.ca.gov or (916) 319-9128 if you have any questions with semi-annual UST reporting, the Report 6 form, or paperless reporting.

Office of Tank Tester Licensing Request for Interior Tank Lining Companies to Submit Notification of UST Lining Activities

As previously advised in the December State Water Board Monthly update, many CUPAs have expressed significant concern regarding compatibility issues associated with aging UST infrastructure. Particularly, it has been expressed that tank lining is occurring to repair or address these compatibility issues without understanding the root cause. As a result of the significant number of tank lining events going on throughout the state and not having a clear understanding as to why the increased lining events are occurring, **the State Water Board Office of Tank Tester Licensing is requesting that tank lining**

companies notify the State Water Board 7 days prior to commencing any tank lining activities. This request is issued in the State Water Board letter below.

http://www.waterboards.ca.gov/water_issues/programs/ust/adm_notices/interior_tank_lining_notification_letter&form.pdf