



# UST Program Update June 2020

## Adoption of Proposed Reporting Regulations

The proposed underground storage tank (UST) regulations for reporting were adopted at the May 19, 2020 Board Meeting conducted by the State Water Resources Control Board (State Water Board). The adopted UST regulations amend California Code of Regulations, title 23, division 3, chapter 16, (UST Regulations) sections 2713, 2716 and Appendices (forms). The adopted amendments modify the reporting requirements of owners and operators, and local agencies. The State Water Board also adopted significant modifications to certification, inspection, and testing forms.

State Water Board staff will soon submit the completed rulemaking package to the Office of Administrative Law (OAL) for review and approval before being filed with the California Secretary of State. We will provide an effective date once we have been advised by OAL. A copy of the resolution adopting the proposed UST regulations will be posted on the State Water Board's [2020 Resolutions webpage](#) shortly<sup>1</sup>.

Additional information on the rulemaking package is available on the UST Program's Proposed [Reporting UST Regulations](#) webpage<sup>2</sup>.

For additional information regarding the adopted UST Regulations, contact Mr. Tom Henderson at (916) 319-9128 or [Tom.Henderson@waterboards.ca.gov](mailto:Tom.Henderson@waterboards.ca.gov), or Ms. Laura Fisher at (916) 341-5870 or [Laura.Fisher@waterboards.ca.gov](mailto:Laura.Fisher@waterboards.ca.gov).

## Changes to Report 6 and Associated Documents

The United States Environmental Protection Agency (U.S. EPA) revised the UST compliance performance measures known as technical compliance rate (TCR), to reflect changes to the federal UST regulations of 2015. Additionally, the U.S. EPA requires states to provide the number of field constructed tanks (FCT) and airport hydrant systems (AHS) within their jurisdiction. Unified Program Agencies (UPAs) will submit the FCT data as part of the Report 6 due on September 1, 2020. Reporting AHS

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<sup>1</sup> [https://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/resolutions/res20.html](https://www.waterboards.ca.gov/board_decisions/adopted_orders/resolutions/res20.html)

<sup>2</sup> [https://www.waterboards.ca.gov/water\\_issues/programs/ust/adm\\_notices/repregs/index.html](https://www.waterboards.ca.gov/water_issues/programs/ust/adm_notices/repregs/index.html)

data will require collaboration between State Water Board, UPAs, and operating hydrant system owners and operators to determine if AHS are subject to UST regulation and therefore also subject to reporting. State Water Board will begin coordination this summer with all the involved regulatory agencies. UPAs will begin reporting AHS data as part of Report 6 due on September 1, 2021.

The U.S. EPA defines an FCT as:

*A tank constructed in the field. For example, tanks constructed of concrete that is poured in the field, or steel or fiberglass tanks primarily fabricated in the field are considered field-constructed.*

This is a broad definition and goes beyond what the State Water Board has historically termed as Bulk Field Constructed Storage Tanks ([LG-151](#))<sup>3</sup>. Therefore, any UST where either the primary or secondary containment was poured, assembled or constructed onsite or in situ must be identified and reported as an FCT in the upcoming Report 6 due on September 1, 2020.

Additionally, the Report 6 will require UPAs to identify using the California Environmental Reporting System (CERS) identification number, those facilities with USTs that have received a red tag during the report period, or have an abandoned or temporarily closed UST as of the closing date of the reporting period.

For additional information regarding changes to Report 6, contact Mr. Tom Henderson at (916) 319-9128 or [Tom.Henderson@waterboards.ca.gov](mailto:Tom.Henderson@waterboards.ca.gov), or Ms. Laura Fisher at (916) 341-5870 or [Laura.Fisher@waterboards.ca.gov](mailto:Laura.Fisher@waterboards.ca.gov).

## **UST Program Monthly Update Index**

UST Program Monthly Updates are organized by topic in a searchable index. This index is available on the [UST Program Monthly Update web page](#)<sup>4</sup>. Topics from 2014 to present may be found covering everything from new regulations to program guidance. In addition, the index identifies State Water Board staff contact information in the event UPAs have additional questions on covered topics. Many questions State Water Board staff receive can be answered using this index.

For additional information regarding the UST Program monthly update index, contact Mr. Sean Farrow at (916) 324-7493 or [Sean.Farrow@waterboards.ca.gov](mailto:Sean.Farrow@waterboards.ca.gov), or Mr. Wesley Franks at (916) 319-0742 or [Wesley.Franks@waterboards.ca.gov](mailto:Wesley.Franks@waterboards.ca.gov).

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<sup>3</sup> [https://www.waterboards.ca.gov/water\\_issues/programs/ust/leak\\_prevention/lgs/151\\_3.shtml](https://www.waterboards.ca.gov/water_issues/programs/ust/leak_prevention/lgs/151_3.shtml)

<sup>4</sup> <https://www.waterboards.ca.gov/ust/cupa/updates/>

## Lyris Email Distribution System

The UST Program uses a Lyris email distribution system (Lyris) to distribute UST Program correspondence. State Water Board staff continue to find members of both the UPAs and UST stakeholders who have not heard about Lyris, and as such, UST Program correspondence may go unseen. State Water Board staff continues to encourage Lyris participation at meetings, technical advisory groups, and regional gatherings, but there is more which can be done. Therefore, we encourage UPAs to assist their colleagues and UST stakeholders in signing up for Lyris.

To subscribe to the UST Program Lyris, please go to the UST Program [Lyris subscription web page](#)<sup>5</sup>. State Water Board staff encourages UPAs to select “CUPA/PA UST Managers and Inspectors” and UST stakeholders to select any of the other lists available.

For addition information regarding signing up for Lyris, contact Mr. Sean Farrow at (916) 324-7493 or [Sean.Farrow@waterboards.ca.gov](mailto:Sean.Farrow@waterboards.ca.gov), or Ms. Laura Fisher at (916) 341-5870 or [Laura.Fisher@waterboards.ca.gov](mailto:Laura.Fisher@waterboards.ca.gov).

## UST Inspector Training for Continuing Education

Due to the COVID-19 pandemic shelter in place orders and limited training opportunities, UPA inspectors may need alternative training opportunities to meet the continuing education requirement for renewal of the International Code Council (ICC) UST Inspector certification. UST Regulations require inspectors to possess a current inspector certificate issued by the ICC. In addition, UST Regulations require the ICC inspector certificate to be renewed once every 24 months. UPA inspectors have the option to either re-take the ICC UST Inspector exam or use continuing education for renewal purposes.

State Water Board revised the correspondence *Implementation of Continuing Education Contact Hours for Renewal of California UST Inspector ICC Certification* dated September 10, 2019. A copy of this correspondence can be obtained on the [State Water Board UST Program - Certification and Training Information](#)<sup>6</sup> web page. In order to track and verify continuing education contact hours, UPA inspectors should use the [California ICC UST Inspector Contact Hour Verification Form](#)<sup>7</sup>. UPA inspectors using the verification form will need their manager, supervisor, or trainer to sign off on the verification form and maintain the verification form for renewing their ICC UST Inspector certificate.

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<sup>5</sup> [https://www.waterboards.ca.gov/resources/email\\_subscriptions/ust\\_subscribe.html](https://www.waterboards.ca.gov/resources/email_subscriptions/ust_subscribe.html)

<sup>6</sup> <https://www.waterboards.ca.gov/ust/training/docs/causticc20190910.pdf>

<sup>7</sup> [https://www.waterboards.ca.gov/ust/forms/docs/icc\\_contact\\_hr\\_verification.pdf](https://www.waterboards.ca.gov/ust/forms/docs/icc_contact_hr_verification.pdf)

The table below identifies some web-based training topics and associated links for UST inspectors in the event inspectors need opportunities for continuing education in order to renew ICC UST Inspector certificates.

<b>Training Name</b>	<b>Link to Training</b>
U.S. EPA Virtual Training	<a href="https://19january2017snapshot.epa.gov/ust/ust-lust-virtual-classroom_.html">https://19january2017snapshot.epa.gov/ust/ust-lust-virtual-classroom_.html</a>
U.S. EPA UST and LUST Training	<a href="https://www.epa.gov/ust/ust-and-lust-training">https://www.epa.gov/ust/ust-and-lust-training</a>
New Federal UST Regulations (CUPA Training Conference 2019)	<a href="https://youtu.be/--6gUR_9TBA">https://youtu.be/--6gUR_9TBA</a>
Basic/Intermediate UST Inspections (CUPA Training Conference 2015)	<a href="https://youtu.be/rleDNE5BYwY">https://youtu.be/rleDNE5BYwY</a>
Xerxes Installation	<a href="https://www.youtube.com/watch?v=fDwjDXg87dM">https://www.youtube.com/watch?v=fDwjDXg87dM</a>
Emerging Fuels	<a href="https://www.youtube.com/watch?v=l2e9CWh92O8">https://www.youtube.com/watch?v=l2e9CWh92O8</a>
Automatic Tank Gauges	<a href="https://www.youtube.com/watch?v=EUtCFAVB6_U">https://www.youtube.com/watch?v=EUtCFAVB6_U</a>
Overfill Prevention	<a href="https://www.youtube.com/watch?v=ypsxe7XxSCc&amp;t=11s">https://www.youtube.com/watch?v=ypsxe7XxSCc&amp;t=11s</a>
PEI 1200 Training	<a href="https://www.youtube.com/watch?v=k1I9digvjE8">https://www.youtube.com/watch?v=k1I9digvjE8</a>
Beginner UST Inspector 101-The Basics (CUPA Training Conference 2016)	<a href="https://www.youtube.com/watch?v=jnXi7Uw5D5U">https://www.youtube.com/watch?v=jnXi7Uw5D5U</a>

Note: Some of the training identified in the table above is based on Federal and other state requirements.

For additional information regarding web-based training opportunities for continuing education in order to renew ICC UST Inspector certificates, contact Mr. Sean Farrow at (916) 324-7493 or [Sean.Farrow@waterboards.ca.gov](mailto:Sean.Farrow@waterboards.ca.gov), or Ms. Laura Fisher at (916) 341-5870 or [Laura.Fisher@waterboards.ca.gov](mailto:Laura.Fisher@waterboards.ca.gov).