

---

## State Water Resources Control Board

June 20, 2017

To: Underground Storage Tank Owners and Operators, Unified Program Agencies, Service Technicians, Tank Testers and Other Interested Parties

### **CONTRACTOR LICENSE REQUIREMENTS FOR WORK ASSOCIATED WITH UNDERGROUND STORAGE TANKS (UST)**

State Water Resources Control Board (State Water Board) staff has been alerted to a conflict between the contractor licensing requirements set forth in Health and Safety Code, division 20, chapter 6.7, section 25280 et seq. (Health & Saf. Code Ch. 6.7) and the California Code of Regulations, title 23, division 3, chapter 16, section 2610 et seq. (UST Regulations), with the Business and Professions Code, division 3, chapter 9, article 4, section 7048 et seq. (Bus. & Prof. Code Ch. 9, Art. 4) and California Code of Regulations, title 16, division 8, article 3, section 830 et seq. (Contractor Classification Regulations). This letter is to inform stakeholders that contractor licensing requirements of the California Contractors State License Board (CSLB) in the Bus. & Prof. Code Ch. 9 Art. 4 and the Contractor Classification Regulations supersede any conflicting licensing requirements identified in Health & Saf. Code Ch. 6.7 and the UST Regulations.

Health & Saf. Code Ch. 6.7 and the UST Regulations require individuals or companies performing work on USTs to possess a Tank Tester License issued by the State Water Board, or a current license issued by the CSLB. Specifically, the current list of permissible contractor licenses set forth in Health and Saf. Code Ch. 6.7, section 25284.1(a)(5)(D)(ii) and UST Regulations, section 2715(i) include the General Engineering Contractor (Class A), and specialty contractors C-10 Electrical Contractor, C-34 Pipeline Contractor, C-36 Plumbing Contractor, and C-61(D40) Limited Specialty. However, section 7059 of the Bus. & Prof. Code Ch. 9, Art. 4 prohibits specialty contractors (Class C licenses) from working in a classification unless they are licensed in that classification, or that work is incidental and supplemental to the work for which a specialty contractor is licensed. CSLB defines "incidental and supplemental" as work that is essential to the specialty of the contractor's license rather than the specialty of the project itself. (Contractor Classification Regulations, §§ 830 & 831.) Contractors must ensure the work they are performing on USTs meets the contractor license description as defined by the CSLB. State Water Board staff have prepared the enclosed table, *Contractor State License Board Description of Classification*, which identifies the CSLB description of classifications for the licenses above.

Underground Storage Tank Owners and Operators,  
Service Technicians, Tank Testers,  
Unified Program Agencies,  
and Other Interested Parties

- 2 -

June 20, 2017

Please note that section 7048 of the Bus. & Prof. Code Ch. 9, Art. 4 prohibits any individual from performing work that is valued at \$500 or more, for combined labor and materials costs, without a current and valid license issued by the CSLB. Individuals with a current Tank Tester License have the authority to perform UST work; however, these provisions do not supersede the CSLB license requirement for work greater than \$500 in value. Individuals with a Tank Tester License must have a CSLB license for any work that exceeds \$500. Additionally, work on a larger project may not be broken down to smaller amounts of less than \$500 in an attempt to meet the \$500 exemption.

The State Water Board intends to harmonize the UST Regulations with Bus. & Prof. Code Ch. 9, Art. 4 and the Contractor Classification Regulations regarding licensing requirements for work on USTs<sup>1</sup>. Until such time, owners and operators must verify that all contractors working on their facilities are properly licensed as required by the CSLB. UPAs must not approve permit requests or approve work performed by individuals that do not hold the required license(s). In addition, individuals that perform work for which they are not properly licensed must be reported to the CSLB Enforcement Division.

For additional clarification regarding contractor licensing requirements, please visit the CSLB website at [www.cslb.ca.gov](http://www.cslb.ca.gov) or contact CSLB by phone at (800) 321-2752 or by email at [Classifications@cslb.ca.gov](mailto:Classifications@cslb.ca.gov).

Sincerely,



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

Enclosure (1)

Contractor State License Board Description of Classification

cc: [Via email only]

Andrea Sisto, Senior Investigator  
Classification Deputy  
Contractors State License Board  
[Classifications@cslb.ca.gov](mailto:Classifications@cslb.ca.gov)

Tom Henderson, Engineering Geologist  
UST Leak Prevention Unit  
State Water Resources Control Board  
[tom.henderson@waterboards.ca.gov](mailto:tom.henderson@waterboards.ca.gov)

---

<sup>1</sup> The International Code Counsel (ICC) certification requirements as defined in UST Regulations, section 2715 remain unchanged.

The table originally included in this letter was removed on September 27, 2021 due to changes made to the Description of Classifications by the Contractors State License Board. For the original version of the letter, please contact the State Water Resources Control Board, Underground Storage Tank Leak Prevention Unit staff at [UST Site Contacts | California State Water Resources Control Board](#).<sup>1</sup>

---

<sup>1</sup> <https://www.waterboards.ca.gov/ust/contacts/contact.html>