



# UST Program Update November 2018

## Informational Documents on the New UST Requirements of Title 23

State Water Resources Control Board (State Water Board) staff have developed and continue to develop informational documents to assist underground storage tank (UST) owners, operators, contactors, designated operators, service technicians, and regulators understand the new UST requirements that became effective October 1, 2018. The informational documents are presented in a question and answer format that can be easily updated as new questions arise. It's important to note that information contained in these documents, in many instances, supersedes previously issued State Water Board guidance. At the conclusion of each document a table is included which identifies previously issued State Water Board guidance with superseded content. Informational documents regarding the emergency generator tank system, line leak detection requirements, overfill prevention equipment inspection requirements, spill container testing requirements, and secondary containment testing requirements have been distributed through the State Water Board email distribution system (known as Lyris), and are posted on the UST program website under "Staying Connected" at:

[https://www.waterboards.ca.gov/water\\_issues/programs/ust/adm\\_notices/fed\\_rec\\_regs/](https://www.waterboards.ca.gov/water_issues/programs/ust/adm_notices/fed_rec_regs/).

For more information regarding the new requirements, please contact Mr. Cory Hootman at (916) 341-5668 or [Cory.Hootman@waterboards.ca.gov](mailto:Cory.Hootman@waterboards.ca.gov) or Mr. Tom Henderson at (916) 319-9128 or [Tom.Henderson@waterboards.ca.gov](mailto:Tom.Henderson@waterboards.ca.gov).

## Informative Webinars on UST Regulations

State Water Board staff will be presenting the final informative webinars listed below, designed to assist the various stakeholders with the changes to regulation. All webinars will use the same web link, call in and pass codes shown here:

<https://stateofcaswrcbweb.centurylinkccc.com/CenturylinkWeb/LauraFisher>

**Telephone:** 1-877-820-7831    **Participant pass code:** 683375#

Attendees may pose written questions during the webinar. To ask a question, click on the Q&A icon located at the top of the page. Questions will be addressed at the end of the webinar.

### ***Regulated Community – UST Regulations***

As of July 2018, State Water Board staff have presented five webinars to the regulated community. These webinars are to assist the regulated community in complying with the regulations for testing, inspection, compatibility, upgrades and designated operator requirements. The remaining two webinars are listed below.

Webinar dates and times for the regulated community on new regulations are:

<b>Webinar Information:</b>	
Date: November 7, 2018 Time: 9:00 a.m. – 12:00 p.m.	Date: November 21, 2018 Time: 9:00 a.m. – 12:00 p.m.

The notice for the webinars for the regulated UST community can be found at:

[https://www.waterboards.ca.gov/water\\_issues/programs/ust/adm\\_notices/fed\\_rec\\_regs/reg\\_own\\_web.pdf](https://www.waterboards.ca.gov/water_issues/programs/ust/adm_notices/fed_rec_regs/reg_own_web.pdf)

### ***UPAs - UST Regulations***

As of July 2018, State Water Board staff has presented five webinars to the Unified Program Agencies (UPAs). The webinars for UPAs are to provide information to assist UST regulators in verifying that UST owners and operators are complying with the amended regulations and includes, but is not limited to, the review of the California Environmental Reporting System (CERS) submittals, required forms, compatibility documentation, workplans for installation, replacement, and repairs of UST components, and how the annual inspection is affected by the amendments to the UST regulations. The remaining two webinars are listed below.

Webinar dates and times for UPAs on new regulations are:

<b>Webinar Information:</b>	
Date: November 14, 2018 Time: 9:00 a.m. – 12:00 p.m.	Date: November 27, 2018 Time: 9:00 a.m. – 12:00 p.m.

The notice for the webinars for the regulated UST community can be found at:

[https://www.waterboards.ca.gov/water\\_issues/programs/ust/adm\\_notices/fed\\_rec\\_regs/reg\\_cup\\_web.pdf](https://www.waterboards.ca.gov/water_issues/programs/ust/adm_notices/fed_rec_regs/reg_cup_web.pdf)

For more information regarding the webinars, please contact Mr. Cory Hootman at (916) 341-5668 or [Cory.Hootman@waterboards.ca.gov](mailto:Cory.Hootman@waterboards.ca.gov) or Mr. Tom Henderson at (916) 319-9128 or [Tom.Henderson@waterboards.ca.gov](mailto:Tom.Henderson@waterboards.ca.gov).

## **Enhanced Leak Detection Testing for Hydrostatically Filled USTs**

The State Water Board recently became aware that hydrostatically filled USTs installed on or after July 1, 2003 have not been tested using an independent third party evaluated enhance leak detection (ELD) test method. A third party evaluated ELD test method is now available for hydrostatically filled USTs. Hydrostatically filled USTs installed on or after September 14, 2018 shall use a third party evaluated ELD test method as found on LG-113. The State Water Board has received notifications to

perform ELD tests by unapproved methods. USTs installed after September 14, 2018, which have been tested by unapproved methods must have an approved ELD test performed.

LG-162 has been updated to reflect the approved test method and can be found here:

[https://www.waterboards.ca.gov/water\\_issues/programs/ust/leak\\_prevention/lgs/docs/162\\_4.pdf](https://www.waterboards.ca.gov/water_issues/programs/ust/leak_prevention/lgs/docs/162_4.pdf)

The technical guidance for the new ELD method can be found here:

[www.waterboards.ca.gov/ust/docs/hydrostatic\\_ELD\\_letter.pdf](http://www.waterboards.ca.gov/ust/docs/hydrostatic_ELD_letter.pdf)

For more information regarding ELD testing, please contact Mr. Tom Henderson at (916) 319-9128 or [Tom.Henderson@waterboards.ca.gov](mailto:Tom.Henderson@waterboards.ca.gov).

## **Assembly Bill No. 2902**

On September 23, 2018, Governor Brown signed Assembly Bill No. 2902 (AB 2902) which amends Health and Safety Code, division 20, chapter 6.7 (H&SC, ch. 6.7) sections 25281.5, 25285, and 25292.3, effective January 1, 2019. AB 2902 makes changes to the emergency generator tank system definition, UST permitting conditions, red tag authority, as well as other changes.

Complete text of AB 2902 can be found at

[http://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill\\_id=201720180AB2902](http://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201720180AB2902)

For more information regarding AB 2902 please contact Ms. Laura Fisher at (916) 341-5870 or [Laura.Fisher@waterboards.ca.gov](mailto:Laura.Fisher@waterboards.ca.gov).

## **Report 6 and CERS**

The State Water Board has revised the Report 6 requirements to reflect the changes to California UST regulations and new United State Environmental Protection Agency (U.S. EPA) performance measures. UPAs were required to collect significant operational compliance (SOC) data through September 30, 2018. Data collection for the new U.S. EPA performance measures, Technical Compliance Rate (TCR), began on October 1, 2018.

Information previously collected on SOC performance measures, specifically release detection (RD) and release prevention (RP), will be utilized in the upcoming Report 6 for facilities inspected from July 1, 2018 through September 30, 2018 only. UST facilities inspected after this time will be using the new TCR performance measures only. While adding the SOC information into CERS for inspections conducted after October 1, 2018 will not adversely affect future reporting, it is not required.

For more information regarding Report 6, please contact Mr. Tom Henderson at (916) 319-9128 or [Tom.Henderson@waterboards.ca.gov](mailto:Tom.Henderson@waterboards.ca.gov).

## CERS – Duplicate Tank Cleanup

The State Water Boards' review of CERS data finds there are 1,422 USTs which may be either duplicate tanks or tanks without a closure date. When CERS 3 is placed into service in early 2019, each active UST in CERS will automatically be assigned a unique CERS tank identification number. Before that happens, the State Water Board encourages all UPAs to close duplicate tanks and ensure all closed tanks have an accepted CERS submittal that includes a tank closure date. Duplicate USTs and USTs which have not been properly closed in CERS will end up receiving a CERS tank identification number and unnecessarily remove that identification number from use for any future UST. For duplicate tanks, even if a subsequent accepted tank closure submittal is made, the duplicate tank will remain permanently in the CERS master tank database as a real, closed tank and only through a review of the submittal 'additional information' field could it be identified as a duplicate tank closure.

Additionally, as State Water Board staff evaluates an individual UPAs' tank data for consideration of paperless reporting (Report 6), any duplicate USTs or closed USTs without closure dates in the UPA's jurisdiction would be considered as part of that evaluation. Duplicate USTs and permanently closed USTs without closure dates negatively impact the State Water Boards ability to make a positive certification for the United States Energy Policy Act of 2005. These USTs are listed in CERS as active tanks but without routine inspections being performed, and therefore not satisfying the three-year federal inspection frequency requirement.

For more information about removing duplicate USTs or ensuring USTs have tank closure dates, please review two related FAQs: [How a changed UST Tank ID should be handled](#) and [Can or should I change a UST Tank ID Number?](#) or contact Mr. Daniel Firth at (916) 341-5711 or [Daniel.Firth@waterboards.ca.gov](mailto:Daniel.Firth@waterboards.ca.gov).