



## State Water Resources Control Board

October 25, 2023

To: Unified Program Agency Managers

### UNDERGROUND STORAGE TANK FACILITY COMPLIANCE INSPECTION REPORTING REQUIRED BY JANUARY 31, 2024

California Code of Regulations, title 23, division 3, chapter 16, section 2713(d) requires the Unified Program Agencies (UPAs) submit to the State Water Resources Control Board (State Water Board) a list of UST facilities where an annual UST compliance inspection was not performed during the previous calendar year. UPAs only need to report facilities where a UST compliance inspection was not performed during the calendar year 2023. UST compliance inspections are required for all facilities with regulated USTs, including temporarily closed and abandoned USTs. Virtual or desk audit UST compliance inspections without an on-site element do not satisfy the UST compliance inspection requirement. The UST compliance inspection report is **due to the State Water Board no later than January 31, 2024**.

UPAs can verify UST compliance inspection data using the <u>UST Routine Inspection</u> <u>Frequency</u><sup>1</sup> search tool found in the California Environmental Reporting System (CERS). The search tool generates a list of UST compliance inspections and the dates they were performed. We strongly suggests UPAs run the CERS <u>UST Routine</u> <u>Inspection Frequency</u> search tool now, and again in mid-December. Common reasons for not having completed an inspection include facilities incorrectly marked as "applicable" in CERS (abandoned USTs and temporarily closed USTs must be marked as "applicable"); facilities improperly closed in CERS, or newly installed UST facilities not yet required to have a UST compliance inspection.

Information submitted by the UPAs is used to certify compliance with the UST provisions of the federal Energy Policy Act of 2005 (EPAct). The EPAct requires states to meet the federal UST facility compliance inspection frequency of once every three years. If a UPA discovers a facility in CERS where a UST compliance inspection has not been performed over the last three years, UPAs must complete a UST compliance inspection no later than December 31, 2023.

<sup>1</sup> <u>https://cersregulator.calepa.ca.gov/Reports/USTRoutineInspectionFrequencySearch</u>

#### E. JOAQUIN ESQUIVEL, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR

1001 I Street, Sacramento, CA 95814 | Mailing Address: P.O. Box 100, Sacramento, CA 95812-0100 | www.waterboards.ca.gov

Compliance with the federal UST inspection frequency of once every three years maintains grant funding from the United States Environmental Protection Agency (U.S. EPA). Grant funding is critical for projects that sustain and improve the UST element of the Unified Program including but not limited to the Abandoned UST Initiative, the Single-Walled UST Closure Initiative, annual and semiannual UST reports, informational public workshops, UPA training, and contractors assisting UPAs with ongoing CERS training and implementation. UPAs which fail to meet the federal UST inspection frequency jeopardize the State Water Boards' ability to make a positive certification and maintain critical grant funding provided by U.S. EPA.

Please reference the Enclosure for the instructions on how to extract the information from CERS using the *UST Routine Inspection Frequency* search tool. UPAs should extract the inspection data from CERS now to identify any missed inspections, misreporting, or other errors to be addressed.

For questions regarding UST facility compliance inspection reporting requirements, contact Johnny Wales at (804) 852-7274 or <u>Johnny.Wales@waterboards.ca.gov</u>, or me at (916) 319-9128 or <u>Tom.Henderson@waterboards.ca.gov</u>.

Sincerely,

attend -

Tom Henderson Supervisor, UST Leak Prevention and Tank Tester Licensing State Water Resources Control Board

Enclosure – Routine Inspection Report Instructions

cc: [via email only]

Cheryl Prowell UST & Site Cleanup Program Section Supervisor State Water Resources Control Board <u>Cheryl.Prowell@waterboards.ca.gov</u>

Kenneth Dixon UST Section Manager Environmental Protection Agency, Region 9 <u>Dixon.Kenneth@epa.gov</u>

Jason Boetzer Deputy Secretary, Local Program Coordination and Emergency Management California Environmental Protection Agency Jason.Boetzer@calepa.ca.gov

John Paine Unified Program Manager, California Environmental Protection Agency John.Paine@calepa.ca.gov

# **Routine Inspection Report Instructions**

Download Excel spreadsheet from CERS for jurisdiction. Report found here:

https://cersregulator2.calepa.ca.gov/Reports/USTRoutineInspectionFrequencySearch

UST Program Reports	
Compliance, Monitoring, and Enforcement Reports Inspection Summary Report by Regulator (Report 6) Counts of regulated UST facilities, active and closed UST systems, inspections, and TCR statistics. Enforcement Summary Report by Regulator (Annual) Counts of Violations by Class, Enforcements by Enforcement Type, and Fines/Penalties.	Red Tag Facility Details Report List Red Tags affixed during a specified date range. UST Routine Inspection Frequency Search Provides an Excel table identifying the date of the upper to the UST Inspection performed with a text field for comment/explanation. This report is for the UPA to comply with the annual Energy Policy Act of 2005 reporting requirement due to the State Water Board each January 31st.
Facility / Tank / Monitoring Summary Reports UST Facility Search Provides alls of sites that are or were a UST site, including sites that reported a UST submittal or had a reported UST inspection, grouped by Regulator.	BOE Facility/Owner Search Tool Provides a tool to search for UST facilities by BOE Number, facility site address, and UST Property Owner and UST Tank Owner information.
UST Data Download UST Facility/Tank Data Download Generates an Excel file containing UST Facility / Tank data that has been "Accepted" by Regulators. UST CME Data Download Generates an Excel file containing UST Inspection, Violation, and Enforcement data.	UST Consolidated Facility/Tank Data Download For US EPA This report is a subset of the CERS UST Facility/Tank Data Download report. It generates an Excel file formatted for US EPA.

1. Select the jurisdiction from the "Regulator" drop down, ensure that the calendar year of the reporting is selected, and click the Search button.

pplicable are not incl	that had one or more Routine UST inspections but where a uded in this report.	all tanks were closed and the UST Reporting requireme	nt was subs	sequently changed to = Not
rocess:				
. Make sure all UST	Routine Inspections have been reported to CERS.			
2. Run the report for y				
B. Download the repo	t to your computer.			
. For any site where	an inspection was not performed during the prior year enter	r a brief explanation why a Routine inspection was not d	one in the I	last column of the report.
5. Send the report to	WQ-UST-EPACT@Waterboards.ca.gov by January 31 of e	each year.		
. Upload a copy for y	our records to the Documents section of your agency organ	nization in CERS.		
15 i Program	Report: UST Routine Inspection Free	juency Search		
Search				
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Year 2023 🗸	Facility Name	Submittal Element	~	
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## 2. Export file to Excel

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10470352	100 MAC Inc. dba Piedmo Market	nt	100 MacArthur Blvd	Oaklar	nd	94610			4/27/2023
10409038	105 Oak Street LLC		105 5th St	Oaklar	nd	94607			2/17/2023
10419307	24-7 Gas & Food Mart		8930 Bancroft Ave	Oakla	nd	94605			8/16/2023
10477384	24/7 MLK		5509 MARTIN LUTHER KING JR WAY	Oaklar	nd	94609			12/29/2022
10601269	3101 98th Avenue LLC		3101 98th Ave	Oaklar	nd	94605			7/10/2023
10440643	451 Hegenberger Gas Inc		451 Hegenberger Rd	Oaklar	nd	94621			9/15/2023
10398208	7- ELEVEN INC. #37634		506 INTERNATIONAL BLVD	OAKL	AND	94606			5/9/2023
10166015	7-ELEVEN INC. #32181		4193 PIEDMONT AVE	OAKL	AND	94611			1/11/2023
10166083	7-ELEVEN INC. #33163		7100 DOUGHERTY ROAD	DUBL	IN	94568			4/17/2023
10739212	98TH Gas		1141 98th Ave	Oaklar	nd	94603			5/3/2023

## 3. Select Row 8 and turn on filter

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4. Filter out 2023 (<u>deselect year 2023</u>) from Column M, "Inspections." The remaining list of facilities do not have a compliance inspection listed in CERS for the calendar year being reported. Please confirm the data, then use the "Comment" section in Column N to explain why a compliance inspection was not performed for each facility listed.

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5. Once completed, submit the final Excel Report to the State Water Resources Control Board, **no later than** *January 31, 2024* at <u>DWQ-UST-EPACT@Waterboards.ca.gov</u>