

Rewrite of California Code of Regulations, Title 23, Division 3, Chapter 16

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California Water Boards

Disclaimer

- The regulations were adopted by the State Water Board on September 3, 2025, and have been accepted by the Office of Administrative Law.
- The regulations will become effective [January 1, 2026](#).
- The staff are preparing guidance documents and instructions for completing the UST forms.
- The updated UST violation library is currently available to CUPA staff.

Proposed Organization

- Article 1: Definition of Terms, Exclusions, and Recordkeeping
- Article 2: Site-Specific Variance Procedures and Additional Construction Standards
- Article 3: Certification, Licensing, and Training Requirements
- Article 4: Design, Construction, and Operation Requirements
- Article 5: Monitoring Requirements
- Article 6: Testing Requirements

Proposed Organization

- Article 7: Unauthorized Release Reporting and Initial Response Requirements
- Article 8: Closure Requirements
- Article 9: Permit Application, Unified Program Agency Requirements, Trade Secrets, and Red Tag Requirements
- Article 10: Corrective Action and Post-Closure Abatement Requirements
- Appendices: UST Forms

Proposed Article 1: Definition of Terms, Exclusions, and Recordkeeping



Definitions

Proposed New:

Abandoned Underground Storage Tank means a UST that:

- Has not had a functional release detection system more than 365 days;
- Does not have current operating permit;
- Has not been permanently or temporarily closed per Article 8; and
- Is not a “decommissioned tank.”

Definitions

Proposed New:

- **Buried** means covered in earthen material or otherwise concealed from visual observation. **Excludes emergency tank system piping in conduit through building walls or ceilings where both sides can be visually observed.**
- **Unburied:** means able to be visually observed.

Definitions

Proposed New:

- **Continuity** means the interstitial space within a **zone** is open and testable, allowing for unobstructed flow of hazardous substance.
- **Zone** means the interstitial space of UST components that is monitored as a single unit.

Definitions

Proposed New:

- **Independent Compliance Inspector** means an individual who performs compliance inspections and is:
 - Independent of the facility being inspected and the Unified Program Agency with jurisdiction over the facility; and
 - Meets the inspector training requirements of § 2634(c).
- Includes individuals employed by or who otherwise are acting on behalf of the Board, and individuals under contract with the Unified Program Agency having jurisdiction.

Definitions

Proposed Change:

- **Submit** means to electronically transmit required documentation or information as follows:
 - Information the owner or operator is required to “**submit**” to the **Unified Program Agency** must be electronically submitted through the **California Environmental Reporting System (CERS)** or local reporting portal;
 - All **submittals to the Cleanup Oversight Agency (COA)** must be electronically submitted through **GeoTracker**;

Definitions

Proposed Change:

- Information required to be **provided** rather than submitted may be transmitted by hand-delivery, U.S. mail, electronic mail, or facsimile.

Definitions

Proposed New:

- Underground Storage Tank Types:
 - **Type 1 underground storage tank** means a UST system installed before July 1, 2003.
 - **Type 2 underground storage tank** means a UST system installed on or after July 1, 2003 and before July 1, 2004.
 - **Type 3 underground storage tank** means a UST system installed on or after July 1, 2004.

Definitions

Proposed New:

- **Violation Classification**
 - **Class I Violation** means a violation that is a "significant violation;"

Note: The definition of “significant violation” has been reworded but not modified substantively.

Definitions

Proposed New:

- **Class II Violation** means a violation or combination of violations that:
 - Results in failure to conduct or pass a test;
 - Is a release detection violation that is not a Class I violation;
or
 - Is a minor violation that is chronic or is committed by a recalcitrant violator.

Definitions

Proposed New:

- **Minor Violation** means a violation, or combination of violations, that does not meet the criteria for either a Class I violation or a Class II violation.

Recordkeeping

Proposed New:

Maintain the following for the **life of the UST system**:

- Installation records including, but not limited to:
 - Installation test results;
 - Manufacturer checklists and manuals; and
 - As-built drawings.

Recordkeeping

Proposed New:

Maintain for the **life of the UST system**: *(Continued)*

- Records of repairs, including inspection reports and structural integrity certifications associated with interior lining;
- Tank calibration charts; and
- Unauthorized release reports.

Recordkeeping

Proposed New:

- Electronic records readily accessible on site during inspections satisfy the requirement to be on site.
- The Unified Program Agency must document approval and any conditions of approval for off site storage of records.
- Documents approved for off site storage must be provided within 36 hours of being requested by the Unified Program Agency, Board, special inspector, or independent compliance inspector. *Note: This timeframe does not apply to records that are stored on site.*

Recordkeeping

Proposed New:

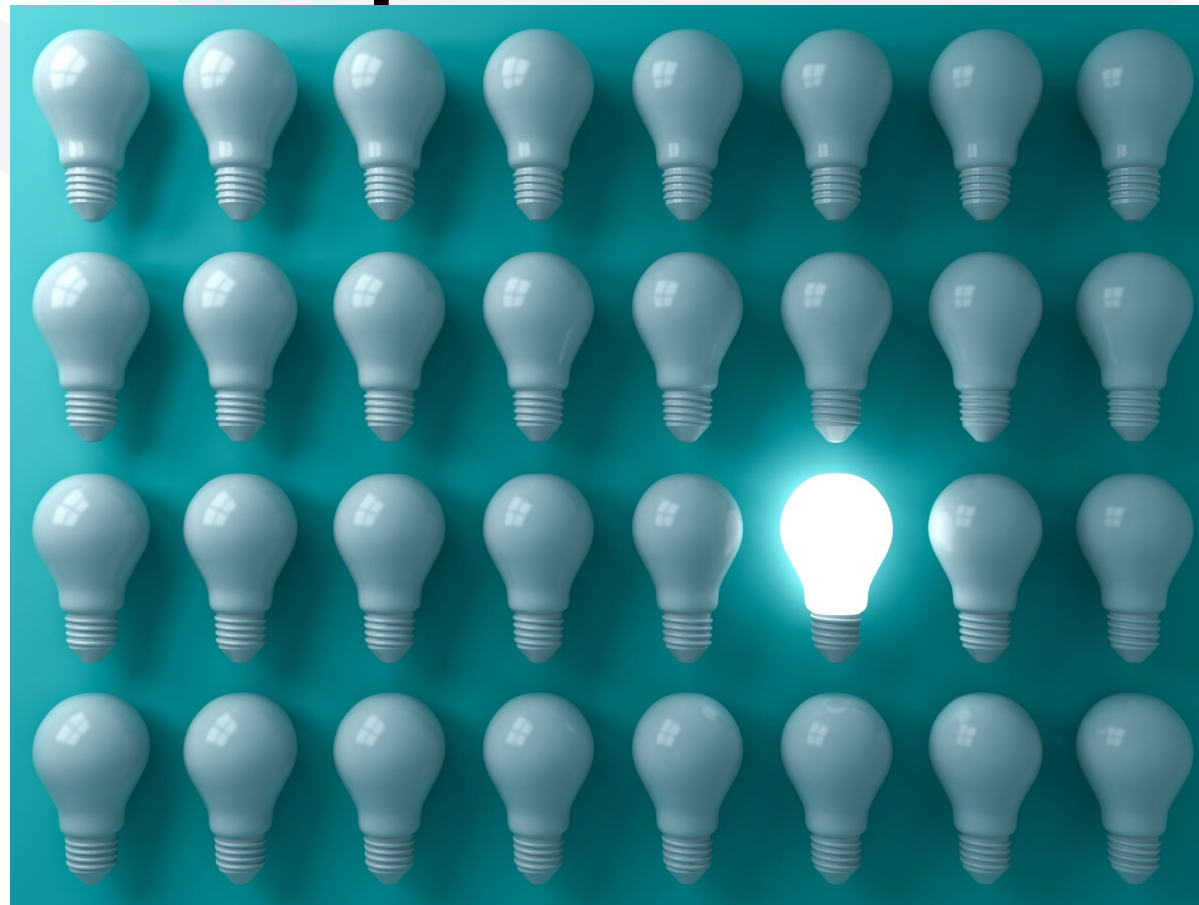
- Approval for site-specific variance is being added to information that must be submitted via CERS or local electronic reporting portal.

Test Notification

Proposed New:

- Owners/operators must notify UPAs in writing at least 72 hours prior to conducting a test unless waived by the UPA.

Proposed Article 2: Site-Specific Variance / Alternate Construction Requirements



Site-Specific Variances

Proposed Change:

- Regional Boards **must consult** with Unified Program Agencies and **State Water Board** during variance review.
- Unified Program Agencies **must verify compliance with the variance before issuing or modifying an operating permit.**

Additional Construction Standards

Proposed New:

- The State Water Board must investigate and hold public hearings on proposed local ordinances.
- The Board can modify or revoke authorizations.
- Existing and future local ordinances will be scrutinized by the Board and must be accepted before being implemented by the Unified Program Agency to ensure compliance with H&SC and these regulations.

Proposed Article 3: Certification, Licensing, and Training Requirements



Certification, Licensing, and Training

Proposed New:

- Owners or operators must **submit** in CERS or the local reporting portal **information** identifying the **Designated UST Operator(s)** for the facility.
- The **name** of each **Designated UST Operator** listed in CERS must be **identical** to that individual's name as listed on the individual's **International Code Council (ICC) UST System Operator** certificate.

Certification, Licensing, and Training

Proposed Change:

- Designated UST Operator Visual Inspection Report Form:
 - DO must attach the **dated release detection alarm history** generated by the release detection system since the previous visual inspection;
 - Documentation of testing dates changes from noting when testing was last done to identifying the **next due date** for each required periodic test.

Certification, Licensing, and Training

Proposed New:

- Installation or repair work, excluding release detection equipment, that does not require excavation or backfill, may be performed by either:
 - A qualified service technician; or
 - Any individual that meets all the licensing, certification, and training requirements for installation.

Certification, Licensing, and Training

Proposed Change:

- Before installing or repairing *any* UST system component, Service Technicians must possess a certificate of training issued by the manufacturer.

Certification, Licensing, and Training

Proposed New:

- Any individual performing installation or repair work or working as a Service Technician must provide all applicable licenses and certificates of training required for the work being performed upon request by the Unified Program Agency, Board, or an independent compliance inspector.

Certification, Licensing, and Training

Proposed Change:

- Unified Program Agency inspectors must obtain International Code Council (ICC) California UST Inspector certification **within 180 days from *when they begin to perform any of the duties*** of a Unified Program Agency UST inspector. (*Current requirement is within 180 days from the date of hire.*)

Certification, Licensing, and Training

Proposed New:

- Training requirements are added for **independent compliance inspectors**, who must:
 - Possess a current ICC California UST inspector certificate; &
 - Renew their certificate every 24 months by passing the ICC California UST Inspector exam (unless they are currently employed as a Unified Program Agency Inspector and have satisfied equivalent criteria approved by the Division of Water Quality UST Program Manager).

Proposed Article 4: Construction and Operation Requirements



Construction and Operation Requirements

Proposed New:

- All tank entries must be through a **manway**.
- If a **manway** must be installed, the manway must be installed in accordance with the tank manufacturer's written guidelines, an industry code, or an engineering standard.

Construction and Operation Requirements

Proposed Change:

- USTs installed on or after July 1, 2026, must bear a marking, code stamp, or label, **located within the perimeter of the sump collar**, including the following:
 - Manufacturer identification;
 - Production location;
 - Date of manufacture;
 - Maximum burial depth;
 - Maximum test pressure; and
 - Openings not equipped with striker plate (if any)

Construction and Operation Requirements

Proposed New:

- For all tanks manufactured on or after July 1, 2026, the manufacturer must provide [documentation](#) to the owner confirming that the manufacturer has verified continuity within the tank interstice.

Construction and Operation Requirements

Proposed New:

- Steel piping installed on or after January 1, 2026, must be constructed of a minimum factory coated black steel meeting ASTM A53, with:
 - Minimum schedule 40 thickness for primary containment; and
 - Minimum schedule 10 thickness for secondary containment.

Construction and Operation Requirements

Proposed New:

- All tanks installed on or after January 1, 2027, must be anchored to prevent flotation using methods specified by the manufacturer, an industry code or engineering standard, or in accordance with an engineering specification approved by a California registered professional engineer.
- Water used to ballast USTs during construction must be completely removed and properly disposed of to the satisfaction of the Unified Program Agency.

Construction and Operation Requirements

Proposed New:

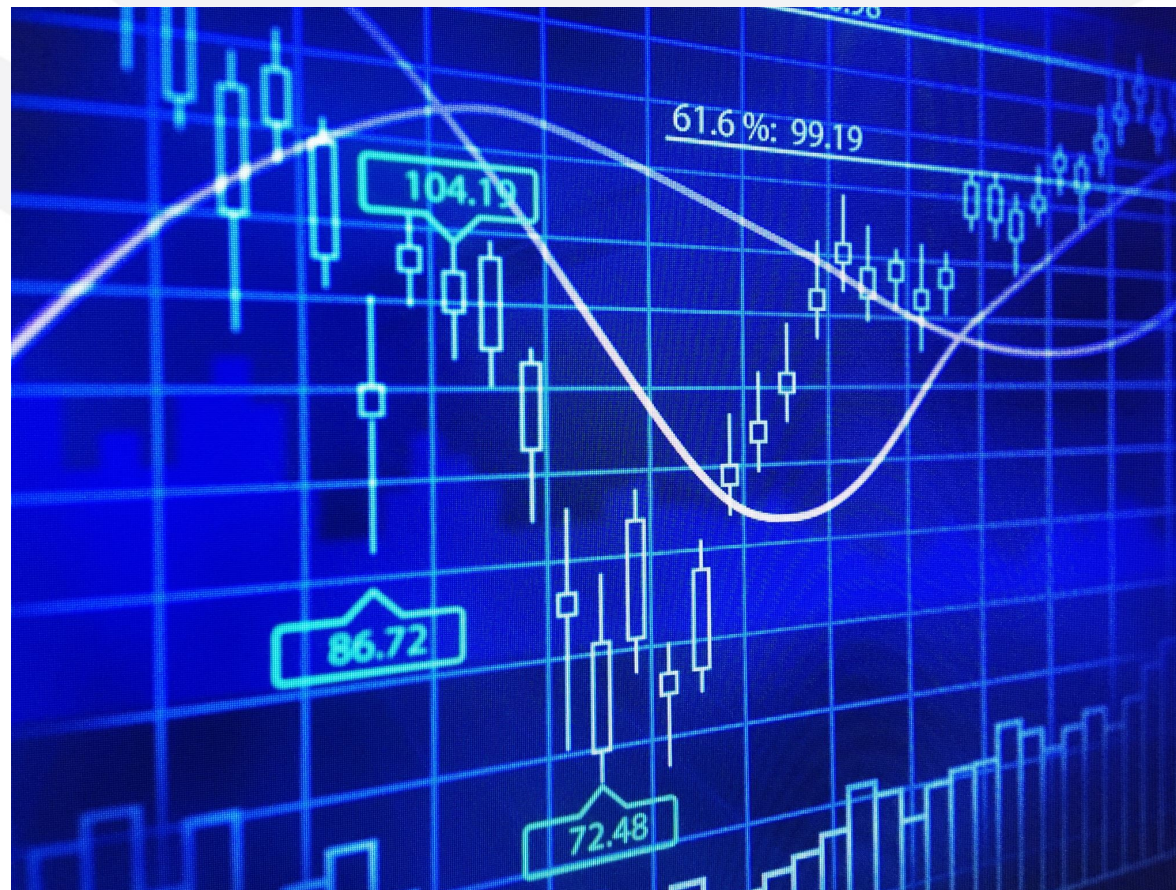
- A UST system may be repaired only after approval from the Unified Program Agency.
- Single-walled spill containment structures in direct contact with backfill which require replacement must be replaced with secondarily contained spill containment.

Construction and Operation Requirements

Proposed New:

- For non-integral secondary containment components using isolation for corrosion protection, if any portion of the isolation component has failed or is compromised, any repair must include confirmation of isolation from the backfill.

Proposed Article 5: Monitoring Requirements



Monitoring Requirements

Proposed Change:

- Minimum content for the [Monitoring Site Plan](#):
 - A [scaled diagram](#) indicating the layout of the tank(s) and piping [to the extent known](#), including containment sumps;
 - Locations of all release detection equipment; and
 - If applicable, each vacuum, pressure, or hydrostatic interstitial monitoring zone.

Monitoring Requirements

Proposed Change:

- **Response Plan** content modified to:
 - Demonstrate that any unauthorized release will be removed from secondary containment **as soon as practical**; and
 - Add **emergency contact information** for persons responsible for authorizing work necessary under the plan; or the **identification and 24-hour phone number of a continuously staffed emergency operations center** authorized to coordinate such a response.

Monitoring Requirements

Proposed New:

- Release detection equipment must only be disabled during testing, replacement, or repair by a Service Technician with notification to the Unified Program Agency.

Monitoring Requirements

Proposed New:

- An **alternative monitoring program** must be implemented if *interstitial monitoring release detection equipment* is or is expected to be **non-functional** more than **24 hours**.
 - **Physical monitoring** of secondary containment at a frequency determined by the Unified Program Agency, but no less than once every **24 hours**;
 - Results must be **recorded in the facility's monitoring records**.

Monitoring Requirements

Proposed New:

- Temporary closure required if the *release detection system* is or is expected to be non-functional more than 30 days.

Monitoring Requirements

Proposed New:

- Remanufactured release detection equipment:
 - May only be remanufactured or rebuilt by the **original manufacturer**.
 - Will be subject to the same **third-party testing requirements** applicable to new equipment.

Monitoring Requirements

Proposed New:

- Mechanical release detection equipment used to continuously monitor under-dispenser containment, including an impact shear valve, which on or after January 1, 2026, fails to function properly at any time, cannot be repaired and must be replaced with approved continuous electronic release detection equipment before resuming dispensing.

Monitoring Requirements

Proposed New:

- Except for emergency tank systems, on or after July 1, 2026, facilities with pressurized piping that are not routinely staffed must have a continuous interstitial release detection system that stops the flow of hazardous substance when it detects a release from the piping or if the release detection system malfunctions.

Monitoring Requirements

Proposed New:

- Requirement for **line leak detectors** to be installed on ***buried*** pressurized piping, as opposed to the current ***underground*** pressurized piping.

May result in some systems needing to be retrofitted with an LLD.

Monitoring Requirements

Proposed New:

- Buried pressurized piping monitored by a continuous vacuum, pressure, or hydrostatic interstitial release detection system that shuts off the flow of hazardous substance through the piping when it detects a release or the release detection system malfunctions satisfies the line leak detector requirement.

Monitoring Requirements

Proposed New:

Piping monitored by continuous vacuum, pressure or hydrostatic interstitial monitoring must be configured:

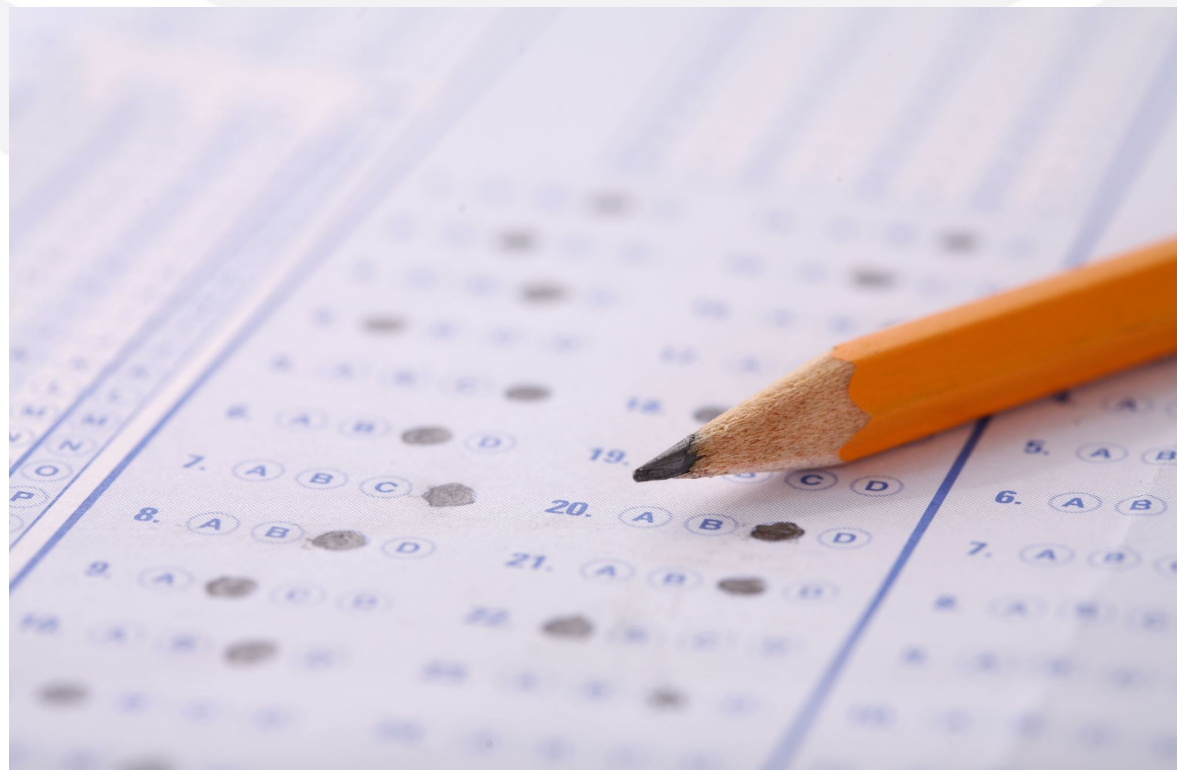
- To facilitate required periodic testing;
- So that continuity can be confirmed for each zone to the extent practical *as approved by the Unified Program Agency* during testing of release detection equipment.

Monitoring Requirements

Proposed New:

- Requirements for remote monitoring:
 - Remote monitoring must allow an immediate notification of a facility employee or service technician.
 - Owners or operators must document in the facility's monitoring records when an alarm is received and when a response action is taken.

Proposed Article 6: Testing Requirements



Testing Requirements

Proposed Changes:

- Enhanced leak detection test results submittal deadline changed from 60 days to 30 days.

Testing Requirements

Proposed Changes:

- **Hierarchy for testing procedures** for spill containment, overfill prevention equipment, and secondary containment **removed**.
- These components will be able to be tested either by manufacturer's guidelines, industry code, **or (if approved by the Unified Program Agency), a test method developed by a California registered professional engineer.**

Secondary containment testing must be still conducted using a test procedure demonstrating the system performs at least as well as it did upon installation.

Testing Requirements

Proposed Changes:

- Test equipment must be calibrated and maintained in accordance with the test equipment manufacturer.
- If no manufacturer's resources available, calibration by National Institute of Standards and Technologies or replace equipment.
- Documentation showing test equipment is in proper operating condition must be available upon request of the Unified Program Agency.

Testing Requirements

Proposed New:

- Testing of secondary containment and release detection equipment for VPH monitored piping **must verify continuity** between the sensors and most distant points in the zone to the extent practical as approved by the Unified Program Agency.

Testing Requirements

Proposed New:

- Line leak detectors used for performing annual line tightness testing must be tested with a simulated 0.1 gph leak at 150% of normal operating pressure.

0.1 g.p.h. testing does not apply to Type 3 USTs, lines tested by a licensed tank tester, or piping equipped with fail-safe interstitial monitoring.



Proposed Article 7: Release Reporting and Initial Response Requirements



Release Reporting and Initial Response

Proposed Change:

- The title of the owner or operator's initial report to the Unified Program Agency has been changed to **preliminary written report**.
- The preliminary written report must include the **facility address** and **Facility ID Number**.

Release Reporting and Initial Response

Proposed New:

- If necessary, or if required by the Unified Program Agency or the Cleanup Oversight Agency, the owner or operator must remove the remaining stored substance from the UST to prevent further releases to the environment or to facilitate corrective action.

Release Reporting and Initial Response

Proposed Change:

- The Unified Program Agency must submit all preliminary written reports, and any sample analyses or other data subsequently received to the Cleanup Oversight Agency within **60 days** of receipt.
- The Cleanup Oversight Agency must review all documents submitted by the Unified Program Agency within **30 days** of receipt.

Proposed Article 8: Closure Requirements



GeoTracker Portal

UST TANK REMOVAL

Please fill out the form and click "Submit Form" when you are done.

YOUR NAME (THE NAME OF THE INDIVIDUAL COMPLETING THIS FORM):

YOUR EMAIL ADDRESS:

TANK OWNER NAME:

TANK OPERATOR (IF DIFFERENT FROM OWNER NAME):

TANK OWNER PHONE NUMBER:

TANK OWNER EMAIL ADDRESS:

TANK OPERATOR PHONE NUMBER:

TANK OPERATOR EMAIL ADDRESS:

FACILITY NAME:

FACILITY ADDRESS:

CITY:

STATE:

ZIP:

COUNTY:

CUPA NAME:

CLEANUP OVERSIGHT AGENCY (CALCULATED BASED ON FACILITY ADDRESS):

PROVIDE SUMMARY OF COMPLETED WORK AND ANY PLANNED NEXT STEPS (EX. TANK PULL, ETC.):

Tanks:

TANK #	DATE OF UST CLOSURE	TYPE OF UST CLOSURE	VOLUME OF UST (GAL)	CONTENTS OF UST	PREVIOUSLY STORED HAZARDOUS SUBSTANCES
	mm/dd/yyyy				
	mm/dd/yyyy				
	mm/dd/yyyy				

Questions:

Have all samples been taken below the closed tank in accordance with Article 8, Section 2681(g)?

YesNo

Sampling every 20 linear feet under UST piping and at joints or fittings?

YesNo

Sampling under each dispenser??

YesNo

Groundwater encountered?

YesNo

Free product observed?

YesNoUnknown

PDF Reports (any reports associated with this UST Tank Removal/Unauthorized Release) - max 400MB per file:

REPORT TITLE

FILE

Choose File

No file chosen

Submit Form

The logo for the California Water Boards, featuring a stylized blue wave graphic above the text "CALIFORNIA Water Boards".

California Water Boards

Closure Requirements

Proposed New: Requirements for temporary closure.

- The UST owner or operator **must receive approval for temporary closure from the Unified Program Agency prior to initiating temporary closure.**

Closure Requirements

Proposed New: Requirements for temporary closure.

- The following are added to current requirements for inspections of tanks in temporary closure by the owner or operator:
 - Verifying that the tank is inerted, if applicable;
 - Documenting the results of the inspection; and
 - Making inspection documentation available within 36 hours at the request of the Unified Program Agency.

Closure Requirements

Proposed New: Requirements for permanent closure.

- In addition to the current requirement that closure "be completed within a reasonable time period as determined by the" Unified Program Agency, the time between cessation of hazardous substance storage and completion of permanent closure must not exceed 365 days from the date of approval by the Unified Program Agency.

Closure Requirements

Proposed Change: Requirements for permanent closure.

- Soil sample collection must be performed immediately after removal of the tank or hazardous substance piping from the excavation.
- Groundwater sample collection must be done immediately after the water enters the excavation or is otherwise encountered.

Closure Requirements

Proposed Change: Requirements for permanent closure.

- Soil samples must be taken a minimum of **two feet into native soil**;
- For **tanks over 12,000 gallons**, a sample at the midpoint of the tank will be required in addition to the samples at each end;
- For **compartmented tanks**, a sample will be required at each internal bulkhead.

Closure Requirements

Proposed Change: Requirements for permanent closure.

- For hazardous substance piping, in addition to every 20 linear-feet, soil samples will be required:
 - At each change in direction for rigid piping; and
 - Under each dispenser.

Closure Requirements

Proposed New: Requirements for permanent closure.

- *Closure Report Items*
 - Site maps or drawings identifying the location at the facility, depth below grade and date of collection for each sample taken;
 - Boring logs (if applicable); and
 - Documentation demonstrating proper disposal of the tank and hazardous substance piping and any hazardous wastes.

Closure Requirements

Proposed New: Requirements for permanent closure.

- Within 30 days of receipt of the closure report items, the UPA must submit the following to the COA:
 - Unified Program Agency name & contact information
 - Facility CERS ID
 - Facility name & address
 - Owner name
 - Operator name
 - CERS Tank ID of each tank closed
 - Date UST was closed
 - Volume of each tank closed
 - Previously stored substances
 - Date, location at the facility, and depth of samples collected
 - Closure inspection reports
 - Laboratory analytical reports; and
 - Additional information provided by the owner or operator pursuant to § 2681(i)

Closure Requirements

Proposed New: Requirements for permanent closure.

- Within 60 days of receipt of all documentation, the Unified Program Agency must issue an Underground Storage Tank Closure Letter to the owner or operator to confirm permanent closure of the UST system in accordance with these regulations.

Closure Requirements

Proposed New: Requirements for **permanent closure**.

- The UST Closure Letter must include, at a minimum, the following:
 - Facility CERS ID (if applicable)
 - Facility name & address
 - Owner name
 - Operator name
 - CERS Tank ID of each tank closed (if applicable)
 - Date the UST was closed
 - Type of closure (removed or closed in place);
 - CERS tank ID of each underground storage tank closed, if applicable; and
 - Name of the Cleanup Oversight Agency having jurisdiction.

Closure Requirements

Proposed New: Requirements for underground storage tank reuse.

- A UST intended to be reused to store a non-hazardous substance or moved from its current location to be reused for any purpose must be permanently closed prior to being moved or reused, if approved by the Unified Program Agency.

Closure Requirements

Proposed New: Requirements for underground storage tank reuse.

- Owners/Operators must **provide** the following information to the Unified Program Agency, within the timeframe specified by the Unified Program Agency, **before** a UST can be reused:
- The **name(s) of the new owner and new operator**, if applicable;
- The **location** of intended use;
- The **nature** of intended use; and
- **Approval from the Unified Program Agency with jurisdiction over the facility** where the UST will be reinstalled.

Closure Requirements

Proposed New: Requirements for underground storage tank reuse.

- Relocated tanks to be reused to store a hazardous substance must:
 - Be tested, inspected, and recertified by the manufacturer and by an independent testing organization (ITO) no more than 30 days before reinstallation;
 - Have their ITO label updated to include both the original manufacture date and the recertification date; and
 - Meet all requirements of Articles 4, 5, & 6 of these regulations and Health and Safety Code § 25290.1. (*i.e., Type 3 USTs*)

Abandoned Underground Storage Tanks

Proposed New: Requirements for abandoned underground storage tanks.

- Abandoned underground storage tanks:
 - Can **not be placed in temporary closure**;
 - Must be **permanently closed** in accordance with these regulations unless, before returning to operation, they:
 - Are equipped with a continuous **vacuum, pressure, or hydrostatic interstitial release detection system**; and
 - **Pass Enhanced Leak Detection (ELD) testing.**

Proposed Article 9: Permit Application, Unified Program Agency Requirements, Trade Secrets, and Red Tag Requirements



Permit Requirements

Proposed New: Operating permit application requirements.

- The permit holder must **apply for renewal of the permit at least 30 days prior to the permit expiration date.**

Unified Program Agency Requirements

Proposed New:

- The following **additional required content** has been added for **operating permits** issued by the Unified Program Agency:
 - The **identify the Unified Program Agency** issuing the permit;
 - The **facility name and address**;
 - Name(s) of the **UST Owner and UST Operator**; and
 - The **permit issuance date**.

Unified Program Agency Requirements

Proposed Change:

- The Unified Program Agency **must** initiate **enforcement actions** against owners and operators of noncompliant UST systems **consistent with an Inspection and Enforcement (I&E) Plan** developed and implemented consistent with section 2694.

Unified Program Agency Requirements

Proposed New:

- Unified Program Agency I&E Plans must be adopted pursuant to 27 CCR section 15200 include procedures for:
 - Compliance inspections and other inspections associated with installation, modification, repair, and closure of UST systems;
 - Verifying and documenting return to compliance based on information provided or submitted by or on behalf of the owner or operator, by conducting follow-up inspections, or by a combination of those methods; and

Unified Program Agency Requirements

Proposed New:

- I&E Plans must include procedures for: *(Continued)*
 - Progressive enforcement actions to be initiated against owners and operators, including procedures for elevating minor violations to Class II violations and Class II violations to Class I violations.

Unified Program Agency Requirements

Proposed New:

- The Unified Program Agency or the Board **must classify each violation cited as minor, Class II, or Class I**, pursuant to these regulations and consistent with the applicable I&E Plan.

Red Tag Requirements

Proposed New:

- Language is added to address affixing of red tags by the Board rather than merely by the Unified Program Agency.

Red Tag Requirements

Proposed New:

- If the Board takes any action to red tag a UST, **the Board must:**
 - **Notify the Unified Program Agency** having jurisdiction in writing **within 24 hours**; and
 - Continue to **consult with, and coordinate with, the Unified Program Agency** until the red tag has been removed or the UST has been properly closed.

Red Tag Requirements

Proposed New:

- If the Board applies a red tag, the Board may request that the Unified Program Agency perform any required inspections and authorization duties.

Red Tag Requirements

Proposed New:

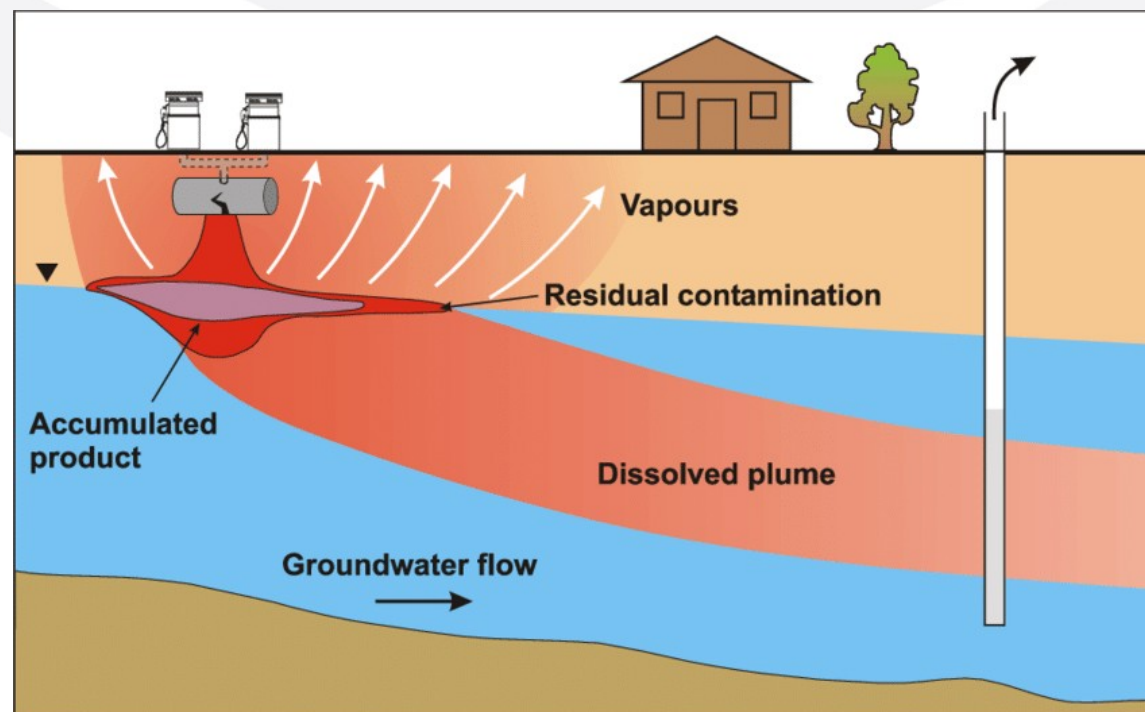
- The Unified Program Agency or the Board has the **authority to direct the UST operator to empty a red tagged UST** within a timeframe determined by the Unified Program Agency, **not to exceed 48 hours** from when the red tag is affixed.
- Red tagged USTs must **not be emptied through the dispenser.**

Red Tag Requirements

Proposed New & Change:

- If the owner or operator removes a red tag pursuant to written authorization by the Board or the UPA, they must:
 - Document the level of stored hazardous substance in the tank immediately after removing the red tag; and
 - Return the red tag and provide the documentation of the level of stored hazardous substance to the agency that affixed the red tag within five ~~business~~ days.

Proposed Article 10: Corrective Action Requirements



Corrective Action Requirements:

Draft change: Only **Cleanup Oversight Agencies** have authority to oversee the abatement of unauthorized releases of hazardous substances from underground storage tanks.

Corrective Action Requirements: Preliminary Site Assessment Phase

Draft change:

- Preliminary Site Assessment Phase may also include **interim remedial actions**.
- Free product must be removed to the maximum extent practicable, as determined by the **Cleanup Oversight Agency**.
- Free product removal report must be submitted within **45 days of release confirmation**.

Corrective Action Requirements:

Draft new: Cleanup Oversight Agencies must concur with or direct changes to Corrective Action Plan within 60 days of submission from Responsible Party.

- Responsible Parties must modify the Corrective Action Plan if required to do so by the Cleanup Oversight Agency.

Corrective Action Requirements:

Corrective Action Plan Development Phase

Draft change:

- A feasibility study must be conducted to evaluate alternatives for remedying or mitigating the actual or potential adverse effects of the unauthorized release. The feasibility study must:
 - Evaluate the cost effectiveness and **relative size of its environmental footprint**;
 - **Be designed to mitigate nuisance conditions and risk of fire or explosion.**

Corrective Action Requirements:

Corrective Action Plan Implementation Phase

Draft change:

- The responsible party may begin cleanup of soil, water, and soil vapor 60 days after Corrective Action Plan submittal, unless a responsible party is otherwise directed in writing by the Cleanup Oversight Agency.
- If a responsible party determines that the Corrective Action Plan is no longer cost-effective, a responsible party must notify the Cleanup Oversight Agency and recommend modifications or suspension of cleanup activities.

Corrective Action Requirements: Closure Preparation Phase

Draft change:

The closure preparation phase:

Activities the responsible party must complete after the Cleanup Oversight Agency notifies that the underground storage tank is eligible for closure prior to being issued a closure letter pursuant to section 25296.10 in chapter 6.7 of division 20 of the Health and Safety Code.

Corrective Action Requirements: Closure

Draft change:

- The Cleanup Oversight Agency must grant closure consistent with all applicable state policies for water quality control adopted pursuant to article 3 (commencing with section 13140) of chapter 3 of division 7 of the Water Code.

Corrective Action Requirements: Closure

Draft change:

- The Cleanup Oversight Agency may require recording of a land use restriction as a condition of closure of an underground storage tank release case for **a release of a hazardous substance that is not petroleum** if the Cleanup Oversight Agency determines that **a land use restriction is necessary for the protection of public health, safety, or the environment.**

Proposed Appendices: Forms



Appendix 3
Underground Storage Tank
Facility Employee Training Certificate

1. FACILITY INFORMATION			
CERS ID	Facility Name		
Facility Address		City	ZIP Code
2. DESIGNATED UNDERGROUND STORAGE TANK OPERATOR INFORMATION			
Designated UST Operator Providing Training*		Email Address	
Phone	ICC Certification	ICC Expiration Date**	
3. FACILITY EMPLOYEE INFORMATION			
By signing the column entitled "Designated UST Operator Signature" below and on any continuation pages, the Designated UST Operator identified in section 2 certifies that they provided training to the identified individuals on the identified dates and that the training was conducted in accordance with California Code of Regulations, title 23, section 2631.			
Check box if continuation pages are attached: ☐ Appendix 3.1			
Names of Individuals Trained	Training Date	Designated UST Operator Signature	

Appendix 3.1
Underground Storage Tank
Facility Employee Training Certificate Continuation Page

CERS ID	Facility Name		
Designated UST Operator	ICC Certification	ICC Expiration Date	

3. FACILITY EMPLOYEE INFORMATION (continued)		
Names of Individuals Trained	Training Date	Designated UST Operator Signature



Appendix 4 Underground Storage Tank Designated UST Operator Visual Inspection Report Form

1. FACILITY INFORMATION		
CERS ID	Inspection Date	
Facility Name		
Facility Address	City	ZIP Code
2. DESIGNATED UST OPERATOR INFORMATION		
Designated UST Operator Performing Inspection	Email Address	
Phone	ICC Certification	ICC Expiration Date
3. COMPLIANCE ISSUES		
List and number all identified compliance issues. (See Cal. Code of Regs, tit. 23, § 2631, subd. (h)(2).)		

Underground Storage Tank
Designated UST Operator Visual Inspection Report Form

9. UST SYSTEM INSPECTION					
Check boxes if continuation pages are attached: ☐ Appendix 4.1; ☐ Appendix 4.2; ☐ Appendix 4.3					
List below and in Section 3 all containment sumps that have had a release detection alarm since the previous Designated UST Operator inspection which have not been responded to by a qualified service technician. Containment sumps listed below require a visual inspection for damage, water, debris, hazardous substance, and proper sensor location.					
Is the containment sump free of damage, water, debris, and hazardous substances?					
Containment Sump ID	Yes	No	Containment Sump ID	Yes	No
	☐	☐		☐	☐
	☐	☐		☐	☐
Are all sensors in visually inspected containment sumps located in the proper position to detect a release at the earliest possible opportunity?				☐	☐

Designated UST Operator Visual Inspection Report
Containment Sump Inspection Continuation Page

CERS ID	Facility Name				Inspection Date
9. UST SYSTEM INSPECTION (continued)					
Is the containment sump free of damage, water, debris, and hazardous substances?					
Containment Sump ID	Yes	No	Containment Sump ID	Yes	No
	☐	☐		☐	☐
	☐	☐		☐	☐
	☐	☐		☐	☐
	☐	☐		☐	☐
	☐	☐		☐	☐



Designated UST Operator Visual Inspection Report
Spill Containment Inspection Continuation Page

CERS ID	Facility Name				Inspection Date
9. UST SYSTEM INSPECTION (continued)					
Is the spill containment free of damage, water, debris, and hazardous substances? Is the fill pipe free of obstructions? Is fill cap securely on the fill pipe?					
Spill Containment ID	Yes	No	Spill Containment ID	Yes	No
	☐	☐		☐	☐
	☐	☐		☐	☐
	☐	☐		☐	☐

Designated UST Operator Visual Inspection Report
Under-Dispenser Containment Inspection Continuation Page

CERS ID	Facility Name				Inspection Date	
9. UST SYSTEM INSPECTION (continued)						
Is the UDC free of damage, water, debris, and hazardous substances, and are all sensors located in the proper position to detect a release at the earliest possible opportunity?						
UDC ID	Yes	No	UDC ID	Yes	No	
	☐	☐		☐	☐	
	☐	☐		☐	☐	
	☐	☐		☐	☐	
	☐	☐		☐	☐	



Underground Storage Tank
Designated UST Operator Visual Inspection Report Form

10. TESTING AND MAINTENANCE				
	Yes	No	NA	Due Date
Has release detection equipment testing been completed within the past 12 months?	☐	☐		
Has spill containment testing been completed within the past 12 months?	☐	☐		
Has overfill prevention equipment testing been completed within the past 36 months?	☐	☐	☐	
Has secondary containment testing been completed within the past 36 months?	☐	☐	☐	
Has line tightness testing been completed within the required timeframes?	☐	☐	☐	
Has cathodic protection testing been completed within the required timeframes?	☐	☐	☐	
11. FACILITY EMPLOYEE TRAINING				
Have all individuals performing facility employee duties received the required facility employee training within the past 12 months?	Yes	No		
	☐	☐		

Appendix 5
Underground Storage Tank
Release Detection Equipment Testing Report Form

TESTING TYPE ☐ Installation ☐ Repair ☐ 12 Month

1. FACILITY INFORMATION		
CERS ID		Test Date
Facility Name		
Facility Address	City	ZIP Code
2. SERVICE TECHNICIAN INFORMATION		
Company Performing Testing		Phone
Mailing Address		
Service Technician Performing Testing		
Contractor License Number		
ICC Certification		ICC Expiration Date



Are all sensors installed to detect a release at the earliest opportunity?	☐	☐	☐
Was the monitoring system set-up reviewed, and proper settings confirmed?	☐	☐	☐
Was the monitoring system's backup battery visually inspected, functionally tested, and confirmed operational?	☐	☐	☐
Was it confirmed that the flow of hazardous substance stops at the dispenser if a release is detected in the under-dispenser containment?	☐	☐	☐
Does the pressure supply pump automatically shut down if the piping secondary containment monitoring system fails to operate or is disconnected?	☐	☐	☐
Does the pressure supply pump automatically shut down if the piping secondary containment monitoring system detects a release? Which sensors initiate positive shut down? (Check all that apply) ☐ Containment Sump ☐ UDC	☐	☐	☐
If release detection alarms are relayed to a remote monitoring center, is all communication equipment operational?	☐	☐	☐
If there is any buried single-wall suction hazardous substance piping, was it confirmed using the inspection method approved by the Unified Program Agency, that the pipe contents drain back into the UST if the suction is released?	☐	☐	☐

Underground Storage Tank
Release Detection Equipment Testing Report Form

6. SENSOR TEST RESULTS							
☐ Check this box if Appendix 5.1 continuation page is attached.							
<i>List only sensors tested. List "Sensor ID" as labeled in system programming. For VPH monitoring, continuity must be confirmed between the most distant points in the interstitial space to the extent practical as approved by the Unified Program Agency and the sensor that monitors the zone.</i>							
Sensor ID	Sensor Model	Component(s) Monitored	Function		Continuity		
			Pass	Fail	Pass	Fail	NA
			☐	☐	☐	☐	☐
			☐	☐	☐	☐	☐
			☐	☐	☐	☐	☐
			☐	☐	☐	☐	☐
			☐	☐	☐	☐	☐
			☐	☐	☐	☐	☐
			☐	☐	☐	☐	☐

Appendix 5.1
Underground Storage Tank
Release Detection Equipment Testing Report Form
Sensor Test Results Continuation Page

CERS ID	Facility Name				Test Date		
6. SENSOR TEST RESULTS (continued)							
<i>List only sensors tested. List "Sensor ID" as labeled in system programming. For VPH monitoring, continuity must be confirmed between the most distant points in the interstitial space to the extent practical as approved by the Unified Program Agency and the sensor that monitors the zone.</i>							
Sensor ID	Sensor Model	Component(s) Monitored	Function		Continuity		
			Pass	Fail	Pass	Fail	NA
			☐	☐	☐	☐	☐
			☐	☐	☐	☐	☐
			☐	☐	☐	☐	☐
			☐	☐	☐	☐	☐
			☐	☐	☐	☐	☐
			☐	☐	☐	☐	☐
			☐	☐	☐	☐	☐
			☐	☐	☐	☐	☐

Underground Storage Tank
Release Detection Equipment Testing Report Form

7. LINE LEAK DETECTOR TEST RESULTS					
☐ Check this box if line leak detectors ARE NOT installed. <i>(Do not complete this section.)</i>					
☐ Check this box if Appendix 5.2 continuation page is attached.					
Simulated release rate verified: (Check all that apply.) ☐ 3 GPH ☐ 0.1 GPH <i>(Required only if LLD performs line tightness testing)</i>			Yes	No	NA
Has the testing equipment been properly calibrated?			☐	☐	☐
For emergency tank systems, does the LLD create an audible and visual alarm when a release is detected?			☐	☐	☐
For mechanical LLDs, does the LLD restrict the flow through the pipe when a release is detected?			☐	☐	☐
For electronic LLDs, does the pressure supply pump automatically shut off when a release is detected?			☐	☐	☐
For electronic LLDs, does the pressure supply pump automatically shut off if the monitoring system or LLD is disabled or disconnected?			☐	☐	☐
For electronic LLDs, does the pressure supply pump automatically shut off if the monitoring system or LLD malfunctions or fails a tightness test?			☐	☐	☐
For electronic LLDs, have all accessible wiring connections been visually inspected for kinks and breaks?			☐	☐	☐
Were all items on the equipment manufacturer's maintenance checklist completed?			☐	☐	☐
Were all LLDs confirmed operational within regulatory requirements?			☐	☐	☐
List only line leak detectors tested.					
LLD ID	LLD Model	Lines Monitored	Pass	Fail	
			☐	☐	
			☐	☐	
			☐	☐	
			☐	☐	



Appendix 5.2
Underground Storage Tank
Release Detection Equipment Testing Report Form
Line Leak Detector Test Results Continuation Page

CERS ID	Facility Name	Test Date
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7. LINE LEAK DETECTOR TEST RESULTS (continued)				
List only line leak detectors tested.				
LLD ID	LLD Model	Lines Monitored	Pass	Fail
			☐	☐
			☐	☐
			☐	☐
			☐	☐
			☐	☐
			☐	☐
			☐	☐
			☐	☐
			☐	☐
			☐	☐



8. IN-TANK GAUGING TESTING				
☐ Check this box if tank gauging is used only for inventory control.	Yes	No	NA	
☐ Check this box if NO tank gauging equipment is installed. <i>(Do not complete this section if either box is checked.)</i>				
All wiring has been: 1) visually inspected for kinks, breaks and proper entry and termination; and 2) tested for ground faults?	☐	☐	☐	
Were all in-tank gauging probes visually inspected for damage and residue buildup to ensure that floats move freely, functionally tested, and confirmed operational?	☐	☐	☐	
Was accuracy of system's product level readings tested?	☐	☐	☐	
Was accuracy of system's water level readings tested?	☐	☐	☐	
Were all probes reinstalled properly?	☐	☐	☐	
Were all items on the equipment manufacturer's maintenance checklist completed?	☐	☐	☐	
Probe ID	Probe Model	Tanks Monitored	Pass	Fail
			☐	☐
			☐	☐
			☐	☐
			☐	☐
			☐	☐
			☐	☐

Appendix 6
Underground Storage Tank
Spill Containment Testing Report Form

TESTING TYPE ☐ Installation ☐ Repair ☐ 12 Month

1. FACILITY INFORMATION		
CERS ID		Test Date
Facility Name		
Facility Address	City	ZIP Code
[No Title]		
2. SERVICE TECHNICIAN INFORMATION		
Company Performing Testing		Phone
Mailing Address		
Service Technician Performing Testing		
Contractor License Number		
ICC Certification		ICC Expiration Date



Underground Storage Tank Spill Containment Testing Report Form

6. SPILL CONTAINMENT DETAILS				
Test Method Developed by ☐ Manufacturer ☐ Industry Standard ☐ Professional Engineer				
Test Type ☐ Pressure ☐ Vacuum ☐ Hydrostatic				
☐ Check this box if Appendix 6.1 continuation page is attached.				
Tank ID				
Spill Containment Manufacturer:				
Method of Cathodic Protection	☐ Nonmetallic ☐ Other	☐ Nonmetallic ☐ Other	☐ Nonmetallic ☐ Other	☐ Nonmetallic ☐ Other
Is the spill containment minimum capacity five gallons excluding riser volume?	☐ Yes ☐ No*	☐ Yes ☐ No*	☐ Yes ☐ No*	☐ Yes ☐ No*
Method to keep spill containment empty	☐ Drain ☐ Pump ☐ Other	☐ Drain ☐ Pump ☐ Other	☐ Drain ☐ Pump ☐ Other	☐ Drain ☐ Pump ☐ Other
Spill Containment Test Results	☐ Pass ☐ Fail	☐ Pass ☐ Fail	☐ Pass ☐ Fail	☐ Pass ☐ Fail

Appendix 8
Underground Storage Tank
Secondary Containment Testing Report Form

TESTING TYPE ☐ Installation ☐ Repair ☐ 36 Month

1. FACILITY INFORMATION		
CERS ID		Test Date
Facility Name		
Facility Address	City	ZIP Code
2. SERVICE TECHNICIAN INFORMATION		
Company Performing Testing		Phone
Mailing Address		
Service Technician Performing Testing		
Contractor License Number		
ICC Certification		ICC Expiration Date
3. TRAINING AND CERTIFICATIONS		

Underground Storage Tank
Secondary Containment Testing Report Form

6. TANK SECONDARY CONTAINMENT TEST				
Test Method Developed by ☐ Manufacturer ☐ Industry Standard ☐ Professional Engineer				
Test Type ☐ Pressure ☐ Vacuum ☐ Hydrostatic				
Test Equipment Used:				
☐ Check this box if Appendix 8.1 continuation page is attached.				
Tank ID				
Tank Manufacturer				
Test Start Time				
Initial Reading				
Test End Time				
Final Reading				
Change in Reading				
Pass/Fail Criteria				
Tightness Test Results	☐ Pass ☐ Fail	☐ Pass ☐ Fail	☐ Pass ☐ Fail	☐ Pass ☐ Fail
7. PIPE SECONDARY CONTAINMENT TEST				
Test Method Developed by ☐ Manufacturer ☐ Industry Standard ☐ Professional Engineer				
Test Type ☐ Pressure ☐ Vacuum ☐ Hydrostatic				
Test Equipment Used:				
☐ Check this box if Appendix 8.2 continuation page is attached.				
Pipe Run ID				
Pipe Manufacturer				
Test Start Time				
Initial Reading				
Test End Time				
Final Reading				
Change in Reading				
Pass/Fail Criteria				

Underground Storage Tank
Secondary Containment Testing Report Form

8. CONTAINMENT SUMP AND UDC TEST				
Test Method Developed by ☐ Manufacturer ☐ Industry Standard ☐ Professional Engineer				
Test Type ☐ Pressure ☐ Vacuum ☐ Hydrostatic				
Test Equipment Used:				
☐ Check this box if Appendix 8.3 continuation page is attached.				
Sump/UDC ID				
Sump Manufacturer				
Sump Depth (inches)				
Sump Bottom to Top of Highest Pipe Penetration (inches)				
Test Start Time				
Initial Reading				
Test End Time				
Final Reading				
Change in Reading				
Pass/Fail Criteria				
Tightness Test Results	☐ Pass ☐ Fail	☐ Pass ☐ Fail	☐ Pass ☐ Fail	☐ Pass ☐ Fail
Continuity Test Results	☐ Pass ☐ Fail	☐ Pass ☐ Fail	☐ Pass ☐ Fail	☐ Pass ☐ Fail

Appendix 7
Underground Storage Tank
Overfill Prevention Equipment Testing Report Form

TESTING TYPE ☐ Installation ☐ Repair ☐ 36 Month

1. FACILITY INFORMATION		
CERS ID		Test Date
Facility Name		
Facility Address	City	ZIP Code
2. SERVICE TECHNICIAN INFORMATION		
Company Performing Testing		Phone
Mailing Address		
Service Technician Performing Testing		
Contractor License Number		
ICC Certification		ICC Expiration Date

Underground Storage Tank Overfill Prevention Equipment Testing Report Form

6. OVERFILL PREVENTION EQUIPMENT DETAILS				
Test Method Developed by ☐ Manufacturer ☐ Industry Standard ☐ Professional Engineer				
☐ Check this box if Appendix 7.1 continuation page is attached.				
Tank ID (<i>one OPE per column</i>)				
Tank Manufacturer				
Tank Capacity (<i>Gallons</i>)				
Tank Inside Diameter (<i>Inches</i>)				
Are both vent and tank riser piping secondarily contained?	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No
OPE Manufacturer / Model				
What is the OPE response when activated? (<i>Check all that apply.</i>)	☐ Shut off ☐ Restrict ☐ Audible ☐ Visual	☐ Shut off ☐ Restrict ☐ Audible ☐ Visual	☐ Shut off ☐ Restrict ☐ Audible ☐ Visual	☐ Shut off ☐ Restrict ☐ Audible ☐ Visual
Are flow restrictors installed on vent piping that may interfere with the OPE operation?	☐ Yes* ☐ No	☐ Yes* ☐ No	☐ Yes* ☐ No	☐ Yes* ☐ No
For audible/visual overfill alarms, are they	☐ Yes	☐ Yes	☐ Yes	☐ Yes

Appendix 7.1
Underground Storage Tank
Overfill Prevention Equipment Testing Report Form Continuation Page

CERS ID	Facility Name	Test Date
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6. OVERFILL PREVENTION EQUIPMENT DETAILS (continued)				
Test Method Developed by ☐ Manufacturer ☐ Industry Standard ☐ Professional Engineer				
Tank ID (one OPE per column)				
Tank Manufacturer				
Tank Capacity (Gallons)				
Tank Inside Diameter (Inches)				
Are both vent and tank riser piping secondarily contained?	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No
OPE Manufacturer / Model				
What is the OPE response when activated? (Check all that apply.)	☐ Shut off ☐ Restrict ☐ Audible ☐ Visual	☐ Shut off ☐ Restrict ☐ Audible ☐ Visual	☐ Shut off ☐ Restrict ☐ Audible ☐ Visual	☐ Shut off ☐ Restrict ☐ Audible ☐ Visual
Are flow restrictors installed on vent piping that may interfere with the OPE operation?	☐ Yes* ☐ No	☐ Yes* ☐ No	☐ Yes* ☐ No	☐ Yes* ☐ No

Appendix 1
Underground Storage Tank
Statement of Understanding and Compliance Form

Every underground storage tank (UST) facility must submit a one-time statement indicating that the owner or operator understands and is in compliance with all applicable UST requirements. A copy of this completed form must be submitted via either the California Environmental Reporting System (CERS) or an equivalent local Unified Program Agency electronic reporting portal within 30 days of: 1) installation of a UST; or 2) a change in owner or operator of the UST. [California Code of Regulations, title 23, division 3, chapter 16, § 2630(a).]

Type of Action ☐ New UST Installation ☐ Change of Ownership ☐ Change of Operator

1. FACILITY INFORMATION			
CERS ID		Facility Name	
Facility Address		City	ZIP Code
2. OWNER / OPERATOR INFORMATION			
Relationship to Underground Storage Tank(s)		☐ Owner ☐ Operator	
UST Owner/Operator Name			Phone
Mailing Address		City	
State	ZIP Code	Email Address	

Appendix XI
Underground Storage Tank
Designated UST Operator Identification Form

TYPE OF ACTION ☐ New UST Installation ☐ New/Changed Designated Operator

1. FACILITY INFORMATION		
CERS ID	Facility Name	
Facility Address	City	ZIP Code
2. DESIGNATED UST OPERATOR INFORMATION		
<i>Print names exactly as shown on the ICC certification.</i>		
Name of Designated UST Operator	ICC Certification	
Mailing Address	Phone	
Name of Designated UST Operator	ICC Certification	
Mailing Address	Phone	
Name of Designated UST Operator	ICC Certification	
Mailing Address	Phone	

Resources/Contact Information

Austin Lemire-Baeten

State Water Resources Control Board

Austin.Lemire-Baeten@waterboards.ca.gov

Email Subscription:

https://www.waterboards.ca.gov/resources/email_subscriptions/ust_subscribe.html

The Link to All Your Chapter 16 Resources!



Questions/Answers

