

# FINAL FEDERAL AND CALIFORNIA UST REGULATIONS CROSSWALK

Item #	California Code of Regulations, title 23, chapter 16	40 Code of Federal Regulations (unless otherwise noted)	Substantial Impact
<b>2611</b>			
1	2611 "Designated UST operator"	280.36(a)(1)(i)	Clarifies that the underground storage tank (UST) operator in addition to the UST owner may designate individuals to serve as the designated UST operator of the UST facility.
2	2611 "Month"		Adds the definition of month. Month means a calendar month.
3	2611 "Repair"	280.12 "Repair"	Expands the term repair to include restoring, to proper operating condition, UST components which have failed to function properly and cause the UST to be out of compliance with this chapter.
<b>2620</b>			
4	2620(e)		Requires UST owners or operators (O/O) to meet all testing and inspection requirements by end of the month in which the activity previously was required.
<b>2621</b>			
5	2621(a)(8)	280.10(a)(2)	Clarifies that the exemption requires the wastewater treatment tank to be regulated under the Clean Water Act.
<b>2631</b>			
6	2631(l)	280.32(b)	Requires O/O to demonstrate compatibility for certain components used to construct the UST system, such as spill containers, overfill prevention system equipment, and ancillary equipment, through an independent testing organization approval, engineering statement, or manufacturer statement of compatibility.
<b>2634</b>			
7	2634(c)(2)	280.41(a)(1)(i)	Prohibits O/O from using manual inventory reconciliation to meet monitoring requirements.
<b>2635</b>			
8	2635(a)(2)(A)	280.33(e)	Requires O/O to test cathodic protection systems within six months of the date of the completion of a repair to the cathodic protection system.
9	2635(a)(2)(B)	280.33(e)	Requires O/O to check corrosion protection systems with sacrificial anodes within six months of the date of the completion of a repair to the cathodic protection system.
10	2635(d)	280.20(c)(3)	Prohibits O/O from installing flow restrictors on vent piping to meet overfill prevention equipment requirements.
<b>2636</b>			
11	2636(f)(5)(A)	280.10(a)(1)(iii) 280.41(b)(1)(i)(A), 280.41(b)(2)(i) 280.44(a)	Limits the use of this provision to emergency generator tank systems (EGTS) installed before the effective date of this subdivision and requires EGTS to meet the upgrade requirements of 2666(f) by October 13, 2018.
12	2636(f)(5)(B)	280.10(a)(1)(iii) 280.41(b)(1)(i)(A), 280.41(b)(2)(i) 280.44(a)	Requires EGTS installed on or after the effective date of this subdivision with underground pressurized pipe to be installed with an automatic line leak detector (ALLD). Adds a provision to allow EGTSs to be equipped with an ALLD that activates only an audible and visual alarm when a leak is detected.

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2637			
13	2637(a)(1)(B)(i)	280.33(d)	Requires secondary containment testing to be performed within 30 days of the date of the completion of a repair to the secondary containment component.
14	2637(a)(1)(B)(ii)	280.35(a)(1)(i)	Requires secondary containment testing to be performed within 30 days of discontinuing vacuum, pressure or hydrostatic (VPH) monitoring.
15	2637(e)	280.35(c)	Requires secondary containment testing results to be recorded on the "Secondary Containment Testing Report Form."
16	2637(f)		Requires the O/O to submit a copy of the "Secondary Containment Testing Report Form" to the Unified Program Agency (UPA).
17	2637(g)		Removes the waiver of the 48-hour notification requirement for secondary containment testing.
2637.1			
18	2637.1(a)(1)	Health & Safety Code, §25284.2	Requires a spill container tightness test upon installation and every 12 months thereafter.
19	2637.1(a)(2)	280.33(f)	Requires a spill container tightness test to be performed within 30 days of the date of the completion of a repair.
20	2637.1(b)	280.35(a)(1)(ii)	Requires a spill container tightness test to be performed in accordance with the manufacturer's guidelines, industry code or engineering standard, or engineered method.
21	2637.1(c)	California Code of Regulations, §§2637(d) & 2715(f)(2)(C) Health & Safety Code, § 25284.1	Requires a spill container tightness test to be performed by a qualified UST service technician.
22	2637.1(d)	280.35(c)	Requires a spill container tightness test results to be recorded on "Spill Containment Testing Report Form."
23	2637.1(e)	California Code of Regulations, §2637(g)	Requires the O/O to submit a copy of the "Spill Containment Testing Report Form" to the UPA within 30 days of the date of the completion of the test.
24	2637.1(f)	California Code of Regulations, §2637(h)	Requires the O/O to notify the UPA of spill container tightness testing 48 hours prior to conducting the test.
2637.2			
25	2637.2(a)	280.20(c)(2)(ii) California Code of Regulations, §2635(c)(2)	Requires an inspection of the overfill prevention equipment except for when the UST meets section 2635(c)(2).
26	2637.2(a)(1)(A)	280.20(c)(4) 280.35(a)(2) 280.35(b)(1)	Requires O/O of USTs installed before the effective date of this section, to inspect the overfill prevention equipment by October 13, 2018 and at least once every 36 months thereafter.
27	2637.2(a)(1)(B)	280.33(f)	Requires O/O of USTs installed before the effective date of this section to inspect the overfill prevention equipment within 30 days of the date of the completion of a repair.
28	2637.2(a)(2)(A)	280.20(c)(4) 280.35(a)(2) 280.35(b)(2)	Requires O/O of USTs installed on or after the effective date of this section to inspect the overfill prevention equipment upon installation and at least once every 36 months thereafter.

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29	2637.2(a)(2)(B)	280.33(f)	Requires O/O of USTs installed before the effective date of this section to inspect the overfill prevention equipment within 30 days of the date of the completion of a repair.
30	2637.2(b)	280.35(a)(2)	Requires an overfill prevention equipment inspection to be performed in accordance with the manufacturer's guidelines, industry code or engineering standard, or engineered method.
31	2637.2(c)	California Code of Regulations, §§ 2637(d) & 2715(f)(2)(D) Health & Safety Code, § 25284.1	Requires the overfill prevention equipment inspection to be performed by a qualified service technician.
32	2637.2(d)	280.35(c)	Requires the overfill prevention equipment inspection result to be recorded on the "Overfill Prevention Equipment Inspection Report Form."
33	2637.2(e)	California Code of Regulations, §2637(g)	Requires the O/O to submit a copy of the "Overfill Prevention Equipment Inspection Report Form" to the UPA within 30 days of the date of the completion of the inspection.
34	2637.2(f)	California Code of Regulations, §2637(h)	Requires the O/O to notify the UPA of the overfill prevention equipment inspection 48 hours prior to conducting the inspection.
<b>2640</b>			
35	2640(d)	280.41(a)(1)(i)	Prohibits O/O from using manual tank gauging to meet monitoring requirements.
<b>2640.1</b>			
36	2640.1(a)	280.32(b)(1)(i)	Requires O/O of single-walled USTs to demonstrated compatibility of the primary containment through an independent testing organization approval 30 days prior to storing a motor vehicle fuel with a concentration greater than 10 percent ethanol or five percent biodiesel.
<b>2643</b>			
37	2643(b)(1)	280.41(a)(1)	Requires O/O which use automatic tank gauging to monitor their USTs to produce leak detection results every 30 days instead of monthly.
38	2643(b)(2)	280.41(a)(1)(i)	Paragraph deleted. O/O can no longer can use automatic tank gauging plus manual inventory reconciliation to meet monitoring requirements.
39	2643(b)(2)	280.41(a)(1) 280.43(h)(1) 280.43(h)(2) 280.43(h)(3)	Statistical inventory reconciliation reporting changed from "per month" to "every 30 days" and is required to report a quantitative leak rate using a threshold value that does not exceed one-half the minimum detectible leak rate.
40	2643(b)(3)	280.41(a)(1) 280.43(d)(3)(ii)	Added the continuous in-tank leak detection monitoring method.
41	2643(b)(4)	280.41(a)(1)(i)	Paragraph deleted. O/O can no longer can use manual inventory reconciliation to meet monitoring requirements.
42	2643(c)(2)	280.41(a)(1) 280.41(b)(1)(i)(B) 280.44(c)	Requires pressurized pipe monitoring to be conducted at least once every 30 days instead of monthly.
43	2643(d)	280.41(a)(1) 280.41(b)(1)(ii) 280.44(c)	Requires suction pipe monitoring to be conducted at least once every 30 days instead of monthly.

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44	2643(g)		Removes waiver to 48-hour notification requirements for line tightness testing.
<b>2644</b>			
45	2644(e)	280.41(a)(1) 280.41(b)(1)(i)(B) 280.44(c)	Requires monitoring to be conducted at least once every 30 days instead of monthly.
<b>2644.1</b>			
46	2644.1(a)(4)		Removes waiver to 48-hour notification requirements for enhanced leak detection testing.
<b>2645</b>			
47	2645	280.41(a)(1)(i)	Deleted section. O/O can no longer use manual tank gauging and testing for small tanks to meet monitoring requirements.
<b>2646</b>			
48	2646	California Code of Regulations, §2646(b)	Deleted section. O/O can no longer use manual inventory reconciliation monitoring to meet monitoring requirements.
<b>2646.1</b>			
49	2646.1(b)(2)	280.41(a)(1)	Modified to require monitoring to be conducted such that it introduces the least amount of error in the 30 day reconciliation instead of monthly reconciliation.
50	2646.1(c)	280.43 280.43(a) 280.41(a)(1) 280.43(h)	Modified to require statistical inventory reconciliation monitoring results every 30 days.
<b>2647</b>			
51	2647(h)	280.45(a)	Requires the site assessment to be signed by a licensed professional.
<b>2648</b>			
52	2648(d)	280.45(a)	Requires the site assessment to be signed by a licensed professional.
<b>2660</b>			
53	2660(h)	280.20	Requires O/O to meet upgrade requirements as applicable.
54	2660(m)	280.11(a)(3) 280.32(a)	Relocated the term “existing” to clarify the applicability of the requirement for material used in a repair to be compatible with the substance stored.
<b>2665</b>			
55	2665(b)	280.20(c)(3)	Requires all overfill prevention equipment and spill containers to meet the requirements of Article 3.
56	2665(c)	280.20(c)(3)	Requires overfill prevention equipment that use flow restrictors on vent piping to be upgraded with overfill prevention equipment that does not use a flow restrictor on the vent piping when installed, repaired, or replaced.
<b>2666</b>			
57	2666(b)(2)	280.20	Requires single-walled buried pipe to meet the requirements of Article 3 when repaired or replaced.
58	2666(e)(2)	280.20 280.20(f) 280.32 280.33(d) 280.35(a)(1)(ii)	Requires all under-dispenser containment and under-dispenser spill containment or control systems to meet the requirements of Article 3.

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59	2666(f)	280.10(a)(1)(ii) 280.44(a)	Requires all underground pressurized piping connected to an emergency generator tank system to be retrofitted with an automatic line leak detector by October 13, 2018. Allows the automatic line leak detector to activate only an audible and visual alarm when a leak is detected.
<b>2672</b>			
60	2672(f)	280.34(b)(8) 280.74	Requires O/O to retain closure samples for 36 months after closure.
<b>2711</b>			
61	2711(c)	280.32(b) 280.34(a)(2)	Requires O/O to notify the UPA in writing 30 day prior to changing stored substance and provide compatibility documentation.
<b>2712</b>			
62	2712(b)(1)(F)	280.34(b)(5)	Adds the results of testing to the list of monitoring and maintenance records.
63	2712(b)(1)(G)	280.34(b)(6) 280.36(b)	Adds the results of inspections to the list of monitoring and maintenance records.
64	2712(b)(4)	280.34(b)(7) 280.45(a)	Requires O/O to retain site assessment for vapor and groundwater monitoring onsite or another location for as long as the monitoring method is used.
65	2712(b)(5)	280.32(c) 280.34(b)(3)	Requires O/O to retain compatibility records onsite or another location for as long as the substance is stored.
<b>2715</b>			
66	2715(a)	280.22 280.42 280.240 280.245	Clarifies that the UST operator in addition to the UST owner may submit through the California Environmental Reporting System (CERS) a signed statement to the local agency indicating that the O/O understands and is in compliance with all applicable UST requirements, and identifying the designated UST operator(s) (DOs) for each facility owned or operated.
67	2715(a)(1)	280.34(a) 280.245	The O/O must submit within 30 days of installing a UST a statement indicating that the O/O understands and is in compliance with all applicable UST requirements, and identifying the DOs for each facility owned or operated.
68	2715(a)(1)(A)	280.22(b) 280.245	Requires O/O to submit to the UPA a signed "Underground Storage Tank Statement of Understanding and Compliance Form"
69	2715(a)(1)(B)	280.34(b)(9) 280.245	Requires O/O to submit to the UPA a "Designated Underground Storage Tank Operator Identification Form."
70	2715(a)(2)	280.245	Requires O/O to submit to the UPA a signed "Underground Storage Tank Statement of Understanding and Compliance Form" within 30 days of the O/O that previously signed and submitted the "Underground Storage Tank Statement of Understanding and Compliance Form."
71	2715(a)(3)	280.22(b) 280.245	Clarifies that the UST operator in addition to the UST owner may identify DOs and sign compliance statement within 30 days of a UST installation, ownership transfer, or change in operator.
72	2715(c)	208.243(c)	Requires employees hired on or after October 13, 2018 to be trained before assuming duties of facility employee.
73	2715(c)(1)(A)	280.242(d)	Requires facility employee initial training to be a site-specific practical demonstration.

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74	2715(c)(1)(B)	280.242(d)	Requires facility employee retraining to be site-specific.
75	2715(c)(4)	280.34(b)(9) 280.245	Requires the DO to issue a signed “Facility Employee Certification” to the O/O. The O/O may use “Facility Employee Certifications” to identify trained facility employees.
76	2715(f)(2)(C)		Requires UST service technicians performing spill container testing to possess training and certification applicable to the method of testing being used in accordance with section 2637.1(c)
77	2715(f)(2)(D)		Requires UST service technicians performing overflow prevention equipment inspections to possess training and certification applicable to the method of inspection being used in accordance with section 2637.2(c)
78	2715(f)(2)(E)		Allows alternate training or certification to be used in the event that no training or certification exists applicable to the method of testing or inspection being used.
<b>2716</b>			
79	2716(a)	280.36(a)(1)(i)	Requires the DO visual inspections to be conducted at least once every 30 days.
80	2716(b)	280.36(a)(3)	Requires the DO visual inspection to identify compliance issues that cause the UST system to be out of compliance with this chapter.
81	2716(b)(1)	280.36(a)(1)(i)(A) 280.36(a)(1)(i)(B) 280.36(a)(1)(ii)(A) 280.36(b)	Requires the DO to review the previous “Designated Underground Storage Tank Operator Visual Inspection Report” to verify that the O/O has a documented response to each compliance issue identified during the previous DO inspection.
82	2716(b)(5)	280.36(a)(1)(i)(A)	Requires the DO to inspect spill containers for damage.
83	2716(b)(6)	280.36(a)(1)(i)(A)	Requires the DO to inspect for obstructions in the fill pipe.
84	2716(b)(7)	280.36(a)(1)(i)(A)	Requires the DO to inspect the fill cap to make sure it is securely on the fill pipe.
85	2716(b)(8)	280.36(a)(1)(ii)(A)	Requires the DO to inspect under-dispenser containment for damage.
86	2716(b)(9)	280.36(a)(1)(ii)(A)	Requires the DO to inspect containment sumps that have had an alarm since the previous visual inspection for which there is no record of a service visit for damage.
87	2716(c)	280.36(b)	Requires the DO to record the results of the visual inspection on the “Designated Underground Storage Tank Operators Visual Inspection Report.”
88	2716(c)(1)	280.36(a)(1)(i)(A) 280.36(b)	Requires the DO to attach a copy of documentation demonstrating action taken to correct compliance issue identified by the DO during the previous visual inspection.
89	2716(c)(2)	280.36(a)(1)(i)(A) 280.36(b)	Requires the DO to list each compliance issue identified by the DO during the previous visual inspection for which there is no record of action taken to correct.
90	2716(c)(5)	280.36(a)(1)(i)(B) 280.36(b)	Requires the DO to list each alarm since the previous visual inspection for which there is no documentation of the alarm condition and action taken in response.
91	2716(c)(6)	280.36(b)	Requires the DO to list each area checked and whether each area checked was acceptable or needed action taken.

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92	2716(d)	280.36(a)(1)(i)(A) 280.36(a)(1)(i)(B) 280.36(a)(1)(ii)(A) 280.36(b)	Requires the DO to provide a signed copy of the “Designated Underground Storage Tank Operators Visual Inspection Report” to the O/O within 48 hours of completing the visual inspection in lieu of alerting the O/O of issues discovered during the inspection.
93	2716(e)	280.36(a)(1)(i)(A) 280.36(a)(1)(i)(B) 280.36(a)(1)(ii)(A) 280.36(b)	Require the O/O to describe actions taken or to be taken to correct all issues identified by the DO within 48 hours of being provided a copy of the “Designated Underground Storage Tank Operators Visual Inspection Report.” Clarifies the description must be provided on a copy of the signed “Designated Underground Storage Tank Operators Visual Inspection Report.”
94	2716(f)	California Code of Regulations, §2712(b)	Require the O/O to retain the monthly inspection records of inspections performed before the effective date of this subdivision and all attachments for 12 months. Requires the O/O to retain “Designated Underground Storage Tank Operators Visual Inspection Reports” for 36 months.

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Appendix			
95	Appendix VI – Monitoring System Certification	280.40(a)(3)	<p>Modified by adding the following::</p> <p>Requires the UST service technical to provide the expiration date of their applicable training and certifications.</p> <p><u>Results of Testing</u> Inspect containment sumps for damage when required to be inspected.</p> <p><u>Monitoring System and Programming</u> Inspect sensors for kinks and breaks in the cables and for residual buildup to ensure that floats move freely.</p> <p>Inspect the monitoring panel’s backup battery for functionally and confirm that it is operational.</p> <p><u>In-Tank Gauge Testing</u> Inspect to ensure that floats move freely, functionally tested, and confirmed operational.</p> <p><u>Line Leak Detector Testing</u> Inspect for kinks and breaks in the cables.</p> <p><u>VPH Equipment Testing</u> Added VPH addendum from Local Guidance Letter 163-1.</p>
96	Appendix VII - Secondary Containment Testing Report Form	280.35(c)	Created “Secondary Containment Testing Report Form.”
97	Appendix VIII – Spill Containment Testing Report Form	280.35(c)	Created “Spill Containment Testing Report Form.”
98	Appendix IX – Overfill Prevention Equipment Inspection Report Form	280.35(c)	Created “Overfill Prevention Equipment Inspection Report Form.”
99	Appendix X - Statement of Compliance Form	280.22(c) 280.22(e)	Created “Underground Storage Tank Owner Statement Form.”
100	Appendix XI – Designated UST Operator Identification Form	280.34(b)(9)	Created “Designated Underground Storage Tank Operator Identification Form.”
101	Appendix XII – Facility Employee Certificate	280.34(b)(9)	Created “Facility Employee Certification.”
102	Appendix XIII – Designated UST Operator Visual Inspection Report	280.36(b)	Created “Designated UST Operator Visual Inspection Report. ”