



UST Program Update January 2020

Underground Storage Tank Biodiesel Regulations

New regulations that govern the storage of biodiesel blends in underground storage tanks (USTs) became effective January 1, 2020. Diesel containing up to 20 percent biodiesel (B20) meeting the American Society of Testing and Materials International standard D7467 is now recognized as equivalent to conventional diesel for the purpose of complying with existing approval requirements for double-walled UST systems, unless any material or component of the UST system has been determined to not be compatible with B20 (California Code of Regulations, title 23, division 3, chapter 16 (UST Regulations), article 3, sections 2631 and 2631.2).

Owners/operators are required to notify Unified Program Agencies (UPAs) 30 days prior to changing substances stored, including changes from B5 to B20. Owners/operators must also properly update the California Environmental Reporting System (CERS) to reflect the change in substances stored. For the storage of B20 in USTs, owners/operators shall select 'motor vehicle fueling' for the Tank Use, select 'Biodiesel B6 – B99' for the Tank Contents, and insert Biodiesel B20 in the 'Other Petroleum Contents' box. Please see figure below.

Tank Use and Contents

Tank Use

- Motor Vehicle Fueling
- Marina Fueling
- Aviation Fueling
- Chemical Product Storage
- Hazardous Waste (includes used oil)
- Emergency Generator Fuel
- Other Generator Fuel
- Airport Hydrant System
- Unknown
- Other

Tank Contents [Read This First](#)

- Regular Unleaded
- Premium Unleaded
- Midgrade Unleaded
- Diesel
- Jet Fuel
- Aviation Gas
- Used Oil
- Other Petroleum
- Other Non-petroleum
- E85
- Biodiesel B6 – B99
- Biodiesel 100
- Kerosene

Other Petroleum Contents

Biodiesel B20

Other Non-Petroleum Contents

UPAs must review the current release detection equipment installed before the substance stored is changed to ensure the UST system is appropriate for use with

increased blends up to and including B20. Finally, UPAs must ensure UST system components meet the requirements of Health & Safety Code, chapter 6.7, section 25291 and are approved for use with conventional diesel.

The State Water Resources Control Board (State Water Board) distributed correspondence on December 6, 2019, to UPAs and other interested parties, addressing [UST Regulations](#) and is available at (https://www.waterboards.ca.gov/water_issues/programs/ust/adm_notices/bio_regs/docs/b20_amendments.pdf).

For more information regarding how to update the storage of B20 in CERS, please contact Mr. Daniel Firth at (916) 341-5711 or Daniel.Firth@waterboards.ca.gov.

For more information regarding the UST Regulations please contact Ms. Laura Fisher at (916) 341-5870 or Laura.Fisher@waterboards.ca.gov.

Report 6 Due March 1, 2020

The State Water Board will soon distribute the Report 6 forms and instructions to all UPAs for the reporting period of July 1 through December 31, 2019. UPAs must submit Report 6 documents to State Water Board staff no later than March 1, 2020. The performance measures data from the Report 6 submittals is collected by the State Water Board, and the results are consolidated and reported to the United States Environmental Protection Agency (U.S. EPA). All states are required to provide UST performance measure data to the U.S. EPA, and national [UST Performance Measure data](#) is available on the U.S. EPA web site (<https://www.epa.gov/ust/ust-performance-measures>).

The “paper” Report 6 must be submitted by UPAs that have not transitioned to paperless reporting. UPAs approved for paperless reporting must run their Report 6 in CERS, verify their data, and submit a *Request/Certification for Paperless Report 6 Reporting* to the State Water Board by March 1, 2020. CERS 3.0 UST Program Reports now include Report 6 data totaling routine UST inspections and technical compliance rate violations. The State Water Board encourages those UPAs who have not been approved for paperless reporting to continue working to correct their data. To request paperless reporting for the next reporting period, see the State Water Board correspondence [Underground Storage Tank Report 6 Paperless Reporting Requirements](#) for more information (https://www.waterboards.ca.gov/ust/adm_notices/paperless_reporting_requirements.pdf).

For questions or assistance regarding paperless reporting, please contact Mr. Daniel Firth at (916) 341-5711 or Daniel.Firth@waterboards.ca.gov.

For more information regarding Report 6, please contact Mr. Steven Mullery at (916) 341-5850 or Steven.Mullery@waterboards.ca.gov, or Mr. Tom Henderson at (916) 319-9128 or Tom.Henderson@waterboards.ca.gov.

Monitoring Site Plan

The State Water Board continues to receive questions from UPAs on when to use the various site plans found in UST Regulations and what information needs to be included in CERS as part of the *UST Monitoring Site Plan* submittal. The State Water Board is addressing this question to assist the UPAs with consistency in application of these requirements. There are four variations of site plans found in UST Regulations, the most common of these are: the monitoring site plan (section 2632(d)); the site plan included as part of the monitoring certification form (Appendix IV); and the scaled or as-built diagram that are required as part of the application for the permit to operate (section 2711).

The CERS submittal requirements for the *UST Monitoring Site Plan* are defined in UST Regulations, section 2632(d)(1). The minimum requirements of this plan are “the location(s), as identified on a plot plan, where the monitoring will be performed”. While a more detailed depiction could be submitted, this site plan is not the scaled or as-built diagram required as part of the application for the permit to operate.

For more information regarding monitoring site plans, please contact Mr. Tom Henderson at (916) 319-9128 or Tom.Henderson@waterboards.ca.gov, or Mr. Sean Farrow at (916) 324-7493 or Sean.Farrow@waterboards.ca.gov.

Updates to Local Guidance Letters 113 and 162

In response to the recent addition of a new enhanced leak detection (ELD) method, local guidance (LG) [113](#) and [162](#) were updated to include the applicable ELD information (https://www.waterboards.ca.gov/water_issues/programs/ust/leak_prevention/lgs/).

For more information regarding ELD, please contact Mr. Tom Henderson at (916) 319-9128 or Tom.Henderson@waterboards.ca.gov, or Ms. Jessica Botsford at (916) 341-7338 or Jessica.Botsford@waterboards.ca.gov.

Proposed Amendments to Underground Storage Tank Reporting Regulations

On November 1, 2019, the State Water Board distributed a Lyris email notifying UST stakeholders of proposed amendments to the UST Regulations regarding reporting requirements and the opportunity to comment on the amendments. The proposed amendments modify the reporting requirements of owners/operators, and local agencies. The State Water Board also proposes to modify certification, inspection, and testing forms.

The public comment period for the proposed UST Regulations closed on December 17, 2019. State Water Board staff will respond to comments received and schedule another public comment period if modifications are made, or a Board Meeting to consider a resolution adopting the proposed amendments to the UST Regulations.

The [proposed UST Regulations](https://www.waterboards.ca.gov/water_issues/programs/ust/adm_notices/repregs/index.html) can be found on our web site
(https://www.waterboards.ca.gov/water_issues/programs/ust/adm_notices/repregs/index.html).

For additional information regarding the proposed UST Regulations, please contact
Mr. Tom Henderson at (916) 319-9128 or Tom.Henderson@waterboards.ca.gov, or
Ms. Laura Fisher at (916) 341-5870 or Laura.Fisher@waterboards.ca.gov.