UST Program Update
April 2021

Regulatory Deadline for Overfill Prevention Equipment Inspection

On June 24, 2020, the State Water Resources Control Board (State Water Board) issued correspondence[1] regarding the regulatory deadline (deadline) for overfill prevention equipment inspection (overfill inspection). The correspondence informed the Unified Program Agencies (UPAs) that, due to the numerous underground storage tank (UST) owners or operators required to complete overfill inspections by October 2021, there will probably be limited availability of service technicians and overfill prevention equipment. The State Water Board provided additional guidance to UPAs on February 5, 2021, with an updated Local Guidance (LG) 150 – Underground Storage Tank Overfill Prevention Systems[2] detailing the overfill prevention equipment and inspection requirements.

California Code of Regulations, title 23, division 3, chapter 16 (UST Regulations), section 2637.2(a), requires overfill inspections to be completed: 1) once by October 13, 2018, and every 36 months thereafter for USTs installed before October 1, 2018, 2) upon installation and every 36 months thereafter for USTs installed on or after October 1, 2018, and 3) within 30 days of a repair. UST Regulations, section 2620(e), further requires all periodic overfill inspections to be completed no later than the last day of the month in which the overfill inspection is required. Therefore, overfill inspections completed before the October 2018 deadline must be completed no later than 36-months after the initial overfill inspection (e.g., an overfill inspection performed August 2018 must complete the periodic overfill inspection no later than August 31, 2021). If a UST owner or operator did not meet the initial overfill inspection deadline of October 13, 2018, they must complete the periodic overfill inspection on or before the last day of the month required, in this case by October 31, 2021.

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[1] https://www.waterboards.ca.gov/ust/docs/overfill_prevention_equipment_inspection_letter.pdf

[2] https://www.waterboards.ca.gov/water_issues/programs/ust/leak_prevention/lgs/docs/150-3.pdf

To avoid the risk of violations and to reduce the possibility of service technician and equipment constraints now and in the future, State Water Board staff encourage UPAs to remind UST owners or operators to complete the overfill inspection early. UPAs should also remind UST owners or operators that they may obtain cost savings by completing the overfill inspection concurrently with the secondary containment testing or the annual monitoring system certification. In accordance with UST Regulations, section 2620(e), completing the overfill inspection early moves the deadline forward, so that the next periodic overfill inspection will be due at the end of the 36th month following the overfill inspection, rather than October 2024, when service technician and overfill equipment availability is again expected to be limited.

For additional information regarding overfill inspections, contact:
Ms. Jessica Botsford at (916) 341-7388 or Jessica.Botsford@watersboards.ca.gov, or
Mr. Tom Henderson at (916) 319-9128 or Tom.Henderson@waterboards.ca.gov.

Buried Suction Pipe Requirements

The State Water Board has become aware that a number of UST inspectors misunderstand buried suction piping construction, monitoring, and permanent closure requirements by December 31, 2025. To clarify, there are two types of suction pipe: safe suction pipe and conventional suction pipe.

Safe suction pipe is defined in UST Regulations, section 2636(a)(3), as below grade pipe that:

- Operates at less than atmospheric pressure;
- Is sloped so that the contents drain back to the UST if suction is released;
- Has no in-line valves or pumps below grade; and
- Has an inspection method provided that readily demonstrates compliance.

All four requirements must be met to be regulated as safe suction piping. Safe suction piping installed before July 1, 2003 is exempt from secondary containment, monitoring, or periodic testing. Any suction piping that does not meet all safe suction requirements described above is conventional suction.

Conventional suction pipe connected to USTs installed:

- Before **July 1, 1987**, may be
    - single-walled and monitored by line testing every 36 months and monitored daily in accordance with UST Regulations, Appendix II;
    - secondarily contained, continuously monitored, and perform secondary containment testing at least once every 36 months, or

    - secondarily contained and continuously monitored by vacuum, pressure, or hydrostatic fluid (VPH).
- On or after **July 1, 1987,** must be
    - secondarily contained, continuously monitored, and perform secondary containment testing at least once every 36 months; or
    - secondarily contained and continuously monitored by VPH.
- On or after **July 1, 2004,** must be
    - secondarily contained and continuously monitored by VPH.

There is no allowance for single-walled conventional suction after July 1, 1987. Additionally, all suction pipe connected to single-walled USTs must be permanently closed by December 31, 2025. During the annual compliance inspection, UST inspectors must confirm safe suction piping by the fourth requirement "*inspection method provided that readily demonstrates compliance*." Many single-walled suction pipe systems listed in California Environmental Reporting System (CERS) are incorrectly identified as safe suction systems. UPAs must immediately identify those piping systems that need construction modifications or closure to assist UST owners and operators with compliance today as well as after December 31, 2025.

For additional information regarding suction piping requirements, 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.

California Underground Storage Tank Leak Prevention January-June 2020 Semi-Annual Report

On February 16, 2021, the State Water Board provided UST stakeholders with the *California Underground Storage Tank Leak Prevention January-June 2020 Semi-Annual Report*[3]. This report was developed in collaboration between the United States (U.S.) Environmental Protection Agency (EPA) and State Water Board. CERS and the California GeoTracker database were used to obtain report information. This report summarizes important information such as CERS implementation status, unauthorized release reporting, and single-walled UST system data. In addition, data are presented for each UPA and the State of California as a whole.

A few noteworthy data points include: UPAs are meeting preliminary CERS goals, UPA inspection and follow-up continues to drive UST facility compliance, unauthorized release numbers remain low, and the removal of single-walled tanks/piping continues to

[3] https://www.waterboards.ca.gov/ust/adm_notices/ca_ust_leak_prevention_report_jj2020.pdf

be below the target rate to have all single-walled UST systems closed by December 31, 2025.

For more information regarding the *California Underground Storage Tank Leak Prevention January – June 2020 Semi-Annual Report*, 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.

Semi-Annual Underground Storage Tank Program Report Results, July – December 2020

The collected results of the July – December 2020 *Semi-Annual UST Program Report* (Report 6) are now available on the UST Leak Prevention[4] webpage. Additionally, the red tag application data as part of the June – December 2020 Report 6 was updated and depicted on the UST Red Tag Requirements and Guidance[5] webpage.

For additional information regarding the July – December 2020 Report 6 results and red tag application data, 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.

Changes to the California Environmental Reporting System Frequently Asked Question Website

State Water Board staff have both modified and added frequently asked questions (FAQs) to the CERS FAQ[6] website. While all FAQs were modified for aesthetics and accessibility, State Water Board staff made the following significant changes to the Regulator User FAQs:

- Updated the webpage "*How to Create a Valid UST Report 6 in CERS*" to be consistent with the current reporting requirements, which includes the technical compliance rate information;
- Created a new webpage "*Reporting Closed USTs When No Business Lead is Available*" detailing the process UPAs may utilize to close USTs at facilities in CERS where the UST owner or operator is inactive or unavailable;

[4] https://www.waterboards.ca.gov/ust/leak_prevention/
[5] https://www.waterboards.ca.gov/ust/enforcement/red_tag_regs_index.html
[6] https://www.waterboards.ca.gov/water_issues/programs/ust/cers/faqs.html

- Created a new webpage "*Using CERS Reports to Ensure Accurate UST Facility and Tank Counts*" to assist UPAs with the perennial question – Why doesn't the Report 6 give me the correct numbers?

Additionally, State Water Board staff made the following changes to the Business User FAQs:

- Created a new webpage "*Changing or Reusing Tank ID Numbers*" to detail the proper methods for UST owners or operators to change the optional tank identification information;
- Created a new webpage "*Reporting Closure of a Facility's Remaining USTs*" to assist UST owners and operators on the methods to remove USTs from their CERS facility page;
- Created a new webpage "*Split Facility Feature: Transferring a UST to Another Facility*" to assist UST owners that have sold a portion of their business with the process of transferring USTs to a new UST facility owner;
- Created a new webpage "*Reporting Archived, Previously Closed but Unreported USTs*" to assist UST owners and operators in closing USTs in CERS that had been previously permanently closed yet remain in CERS;
- Created a new webpage "*Discarding Previously Closed Tanks from Future UST Submittals*" to assist UST owners or operators with removing old UST data from CERS.

For additional information regarding the CERS FAQs, 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.

United States Environmental Protection Agency's Underground Storage Tank Finder

The U.S. EPA has recently provided additional information regarding the *UST Finder*[7]. As previously mentioned in the March 2021 UST Program Update[8], the *UST Finder* is an ARCGIS, web-based application developed by U.S. EPA which has the ability to: 1) provide information on UST and leaking UST sites such as geolocation and number of tanks on-site, and 2) upload and download data into other software programs.

[7] https://www.epa.gov/ust/ust-finder
[8] https://www.waterboards.ca.gov/water_issues/programs/ust/cupa/updates/docs/2021mar_ust.pdf

The U.S. EPA has developed Esri Services for UST Finder[9], a comprehensive spreadsheet with a compiled list of layers that can be added to *UST Finder* in order to analyze additional information on fire, land use/landscape, natural disasters, infrastructure, demographic, soil, and water. The additional layers provide content such as the display of perimeters from the *National Incident Feature Service* and the Federal Emergency Management Act's flood risk maps. This comprehensive spreadsheet may be found on the Division of Water Quality – Underground Storage Tank Program[10] webpage by clicking on the "Esri Services for UST Finder" bullet in the section titled "From USEPA."

For additional information regarding the U.S. EPA's *UST Finder*, contact:
Mr. Sean Farrow at (916) 324-7493 or Sean.Farrow@waterboards.ca.gov, or
Mr. Tom Henderson at (916) 319-9128 or Tom.Henderson@waterboards.ca.gov.

[9] https://www.waterboards.ca.gov/water_issues/programs/ust/docs/esri_services_for_ust_finder.xlsx
[10] https://www.waterboards.ca.gov/ust/