



UST Program Update

January 2025

Revised Notice of Proposed Underground Storage Tank Regulations and Opportunity to Provide Comment

On November 22, 2024, the State Water Resources Control Board (State Water Board) notified underground storage tank (UST) stakeholders of proposed amendments to the California Code of Regulations, title 23, division 3, chapter 16 (UST Regulations) through the [UST GovDelivery subscription list](#)¹. The proposed amendments are a complete rewrite of UST Regulations.

On December 26, 2024, the [State Water Board extended the comment period](#)² an additional 10 days. The public comment period now ends on **January 17, 2025 at 12:00 p.m.** Individuals may submit written comments relevant to the proposed regulatory action to the State Water Board's Clerk to the Board by email at commentletters@waterboards.ca.gov, by fax at (916) 341-5620, or by mail or hand delivery to:

Courtney Tyler, Clerk to the Board
State Water Resources Control Board
P.O. Box 100, Sacramento, CA 95812-2000 (by mail)
1001 I St, 24th Floor, Sacramento, CA 95814 (by hand delivery)

The proposed rulemaking documents and an unofficial crosswalk reference can be found on the [Proposed Underground Storage Tank Regulations](#)³ webpage.

For more information regarding the proposed UST Regulations, contact Tom Henderson at (916) 319-9128 or Tom.Henderson@waterboards.ca.gov.

Public Hearing on Proposed UST Regulations

The State Water Board will hold a public hearing on the proposed UST Regulations rulemaking. The public hearing will occur at the following time and location:

¹ <https://public.govdelivery.com/accounts/CAWRCB/subscriber/new?qsp=ust>

² https://www.waterboards.ca.gov/board_info/calendar/docs/2025/jan/revisednotice_ch16regs_122624.pdf

³ https://www.waterboards.ca.gov/ust/leak_prevention/chapter16/rewrite.html

Monday January 13, 2025, 1:00 to 4:00 p.m.

California Environmental Protection Agency (CalEPA) Headquarters Building
Sierra Hearing Room
1001 I Street - 2nd Floor
Sacramento, California 95814

The CalEPA Headquarters Building is accessible to people with disabilities.

The public hearing can also be accessed remotely by up to 300 viewers through **Zoom** at:

<https://waterboards.zoom.us/j/98471200195>

Meeting ID: 984 7120 0195

Live video and audio broadcasts of the public hearing, for attendees that are solely interested in watching and not providing comments, will be available via the internet and can be accessed at the [CalEPA Public Meeting Live Webcasts page](#)⁴. Closed captioning is available.

Oral comments will only be accepted at the public hearing. At the hearing, any person may present statements or arguments orally or in writing relevant to the proposed UST Regulations rulemaking. The State Water Board requests that people making oral comments at the hearing also submit a written copy of their testimony at the hearing. Please note, oral comments provided after the hearing will not be accepted by the State Water Board.

For more information regarding the proposed UST Regulations public hearing please see the [Revised Notice of Proposed Regulatory Action](#)⁵, or contact: Tom Henderson at (916) 319-9128 or Tom.Henderson@waterboards.ca.gov.

Single-Walled UST Facility Permit to Operate

All [single-walled USTs must be permanently closed](#)⁶ by December 31, 2025. Unified Program Agencies (UPAs) must ensure that all permits to operate for single-walled UST facilities within their jurisdiction expire no later than December 31, 2025 as operation of single-walled USTs after this date is prohibited. Additionally, UPAs should consider sending a permit application for permanent closure with the UST Permit to Operate to all single-walled UST facilities that have not applied for permanent closure.

⁴ <https://video.calepa.ca.gov/#/>

⁵ https://www.waterboards.ca.gov/board_info/calendar/docs/2025/jan/revisednotice_ch16regs_122624.pdf

⁶ https://www.waterboards.ca.gov/ust/single_walled.html

For more information regarding single-walled USTs, contact:
Jenna Hartman at (916) 327-8563 or Jenna.Hartman@waterboards.ca.gov.

Facility Compliance Inspection Reporting

UST Regulations, section 2713(d) requires the UPA to report to the State Water Board, no later than January 31st each year, the number of UST facilities where a compliance inspection was not performed over the previous calendar year. The State Water Board is required to report annually to the United States Environmental Protection Agency (U.S. EPA) on several performance measures as part of the Energy Policy Act of 2005 (EPAAct). One of the EPAAct performance measures requires states to certify that a UST facility compliance inspection has been conducted at every UST facility at least once during the past three years, thereby meeting the federal inspection frequency. At the direction of U.S. EPA, the California Environmental Reporting System (CERS) will be used to verify each UPA has complied with the federal UST inspection frequency.

To assist UPAs in verifying the accuracy of UST facility compliance inspections, UPAs should use the [UST Routine Inspection Frequency](#)⁷ search tool in CERS. The State Water Board sent a [letter to UPA managers on October 25, 2023](#)⁸ which included instructions on how to use the UST Routine Inspection Frequency search tool. UPAs should use this tool early to identify facilities where a compliance inspection has not been performed during the 2024 calendar year, or to ensure the correct data has been properly uploaded to CERS. This report will assist UPAs in identifying missing inspections or inaccurate data.

For more information regarding compliance inspection reporting requirements, contact: Magnolia Busse at (916) 341-5870 or Magnolia.Busse@waterboards.ca.gov.

Report 6 Due March 1, 2025

The State Water Board recently distributed the Report 6 forms and instructions to all UPAs for the reporting period of July 1 through December 31, 2024. UPAs must submit Report 6 no later than March 1, 2025.

Beginning this reporting period, paperless Report 6 forms now include a question regarding the number of red tags applied within the current cycle. Please note that red tags that were previously issued should not be included in the count of applied red tag.

Additionally, inaccurate Report 6 data provided to the State Water Board will be

⁷ <https://cersregulator2.calepa.ca.gov/Reports/USTRoutineInspectionFrequencySearch>

⁸ <https://www.waterboards.ca.gov/ust/docs/ust-compliance-inspection-2024.pdf>

returned to the UPA for corrections. The UPAs must provide the corrected Report 6 prior to the March 1, 2025 due date or be considered late.

For more information regarding Report 6 requirements, contact:
Magnolia Busse at (916) 341-5870 or Magnolia.Busse@waterboards.ca.gov.

Office of Tank Tester Licensing Webpage Update

The Office of Tank Tester Licensing (OTTL) has updated local guidance (LG) [105](#)⁹ on the [OTTL website](#)¹⁰ to reflect the current list of State Water Board licensed tank testers. In addition to LG-105, the OTTL website offers links to OTTL Regulations, OTTL testing notification forms, and LG-113. The OTTL website also provides licensing information for applicants and study materials for the exam.

For additional information regarding the OTTL website updates, contact:
Kaitlin Cottrell at (916) 319-0742 or Kaitlin.Cottrell@waterboards.ca.gov.

⁹ https://www.waterboards.ca.gov/water_issues/programs/ust/leak_prevention/lgs/105_12.html

¹⁰ https://www.waterboards.ca.gov/ust/tank_testers/