

**REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION**

**EXECUTIVE OFFICER SUMMARY REPORT
DECEMBER 14, 2022**

ITEM 3

SUBJECT

Underground Storage Tank Cleanup Program (UST Program) Update

STAFF RECOMMENDATION

Information item only; no recommendation.

KEY ISSUE

Groundwater is one of California's greatest natural resources, however contamination of groundwater supplies can render a groundwater basin unusable as a drinking water source, as well as for agriculture, industrial, and other uses. Contamination of groundwater can occur through accidental spills, careless dumping of chemicals, or underground storage tank (UST) leaks. The San Diego Water Board's UST Program implements the Low-Threat Underground Storage Tank Case Closure Policy (Low-Threat Closure Policy¹) to provide oversight of UST site cases for the investigation and cleanup of unauthorized petroleum releases. The Low-Threat Closure Policy provides consistent statewide case closure criteria for low-threat petroleum UST site cases. The Board's UST Program prioritizes oversight efforts on UST sites located in existing and/or potential beneficial use areas, underserved communities, sites with free product in groundwater, and/or sites that pose a high risk to human health, safety, and the environment.

PRACTICAL VISION

The UST Program implements the San Diego Water Board's Practical Vision entitled Healthy Waters, Healthy People through implementation of the Low-Threat Closure Policy. Implementation of the Low-Threat Closure Policy allows staff to prioritize UST oversight efforts to focus on meeting the goals of the San Diego Water Board Practical Vision:² Chapter 1, *Strategize for Healthy Waters*, and Chapter 4, *Strategize to Achieve Resilient Local Water Supply*.

DISCUSSION

The purpose of this item is to provide an opportunity for the San Diego Water Board members and the public to learn about the ongoing efforts of the UST Program to move UST site cases towards closure under the Low-Threat Closure Policy.

The San Diego Water Board's UST Program has implemented the Low-Threat Closure Policy and closed 202 leaking UST site cases, since 2012. Currently, UST Program staff provide regulatory oversight to 82 leaking UST site cases. These cases consist of sites

¹ Low-Threat Underground Storage Tank Case Closure Policy

https://www.waterboards.ca.gov/board_decisions/adopted_orders/resolutions/2012/rs2012_0016atta.pdf

² The San Diego Water Board's Practical Vision is available at this website: [Practical Vision | San Diego Regional Water Quality Control Board](#)

that are:

- In the investigation, site assessment, active remediation, verification monitoring, or closure process
- In need of funding
- Currently under enforcement or in need of enforcement action by the San Diego Water Board; or
- Recently transferred from the San Diego, Riverside, and Orange County's Local Oversight Programs.

In early 2021, the United States Environmental Protection Agency (USEPA) set UST site case closure goals for oversight agencies across the state based on each agency's share of the statewide portfolio. The San Diego Water Board's UST site case closure goals was set at 16 cases for fiscal year 2021-2022. UST Program staff closed 16 UST site cases in fiscal year 2021-2022 and met the USEPA's goal. The UST Program set performance targets for fiscal year 2022-2023 to close 10 UST site cases and move at least one UST site case into active remediation.

UST Program staff understand that for many Dischargers, technical and economic resources are limited and therefore require cleanup efforts be prioritized to promote the protection of human health and environmental receptors. The San Diego Water Board's implementation of the Low-Threat Closure Policy provides a streamlined approach to the closure of leaking UST site cases by establishing general and media-specific criteria for petroleum contaminants in soil, groundwater, and soil vapor. UST Program staff use the general and media-specific criteria to identify impediments and evaluate the UST site case closure information submitted by the Discharger. If UST Program staff determine the Discharger's information satisfies the general and media-specific criteria, the Board will deem the residual petroleum contaminants at the UST site pose a low-threat to human health, safety, and the environment and authorize the Discharger to cease all remedial and monitoring activities at the UST site and begin the closure process in accordance with the requirements of the Low-Threat Closure Policy.

The Low-Threat Closure Policy recognizes, however, that even if all the specified criteria in the Policy are met, there may be site-specific conditions that increase the risks associated with residual petroleum constituents. In these situations, UST Program staff must identify the conditions that would render case-closure under the Low-Threat Closure Policy inappropriate and apply more conservative standards for the protection of human health, safety, and the environment.

UST Program staff uses the State Water Resources Control Board's online GeoTracker database to enhance the Board's capability to monitor and assess threats to groundwater. Additionally, features embedded in GeoTracker support UST Program staff's ability to identify and prioritize UST site cases within communities that are "disproportionately burdened by, and vulnerable to, multiple sources of pollution". UST Program Staff

evaluate UST site locations to determine if sites are in underserved communities. Staff use this information as a factor in prioritizing casework and to ensure that these cases continue to progress toward closure and do not stall during the investigation or cleanup efforts. UST Program staff also use GeoTracker to increase public access to the San Diego Water Board's UST site case documents and environmental data.

Staff will continue to provide annual updates to the Board.

LEGAL CONCERNS

None.

PUBLIC NOTICE

The agenda notice for today's meeting was posted on the San Diego Water Board's website and sent to subscribers to the email list for Board meetings. This satisfies the Bagley-Keene Open Meeting Act requirements to publish the meeting notice and agenda.

SUPPORTING DOCUMENTS

None.