



UST Program Update January 2015

Withdraw of Unified Program Certification of City of Oakland Fire Department by CalEPA

On November 5, 2014 CalEPA issued a Notice of Intent to Withdraw the Unified Waste and Hazardous Materials Management Regulatory Program (Unified Program) Certification from the City of Oakland Fire Department. The Notice of Intent required the City of Oakland Fire Department to correct all program deficiencies by January 5, 2015. The City of Oakland Fire Department did not correct all Unified Program deficiencies; therefore CalEPA has withdrawn Certification. CalEPA has designated the Alameda County Environmental Health Department as the Certified Unified Program Agency (CUPA) for the City of Oakland Fire Department effective January 30, 2015. A transition plan is being prepared between Alameda County and the City of Oakland Fire Department on the transition of the UST Program, as well as the other program elements.

Single-Walled UST Survey

A letter was issued by the State Water Resources Control Board (State Water Board) requesting all CUPAs and PAs to submit information regarding underground storage tanks (USTs) within their jurisdiction that lack secondary containment. Along with the letter, an Excel spreadsheet was provided for gathering data to be completed and submitted to gabriel.berzamina@waterboards.ca.gov by Monday, January 26, 2015. This collection of information is part of the UST Program's preparation for the Senate Bill 445 requirement of permanently closing all single-walled USTs in California by December 31, 2025. This survey will identify and locate the USTs affected by this requirement, which will assist in determining the need for grants and loans, as well as targeting public outreach efforts.

For more information regarding this collection of information, contact Gabriel Berzamina at (916) 341-5385 or gabriel.berzamina@waterboards.ca.gov.

FEMA Flood Zones

Effective October 1, 2014, an amendment to the California Code of Regulations, title 8, section 5605 made by the Department of Industrial Relations requires USTs in flood prone areas to be anchored, weighted, or secured by an approved means. The modifications were necessary to ensure USTs would not, in the event of a flood, contribute to a release of hazardous materials or displacement of the UST.

USTs installed after October 1, 2014, in areas that may be subject to flooding as defined by Federal Emergency Management Agency (FEMA), must be installed in accordance with the provisions of National Fire Protection Association (NFPA) 30-2012. Tanks in flood prone areas installed prior to

October 1, 2014, must conform to either the provisions of NFPA 30-2012 or NFPA 30-1973, Appendix B.

FEMA flood maps and flood zone definitions can be found at <https://msc.fema.gov/portal>.

For a complete text of this regulation, visit the WestlawNext website below.

[https://govt.westlaw.com/calregs/Document/IE1181F70F28A11E3AF75C503DB27CF3E?viewType=FullText&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=\(sc.Default\)](https://govt.westlaw.com/calregs/Document/IE1181F70F28A11E3AF75C503DB27CF3E?viewType=FullText&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=(sc.Default)).

December 2014 CERS UST Status Report

The State Water Board has recently published the latest quarterly status reports intended for tracking progress towards entering all UST related business and compliance, monitoring and enforcement (CME) data into the California Environmental Reporting System (CERS). The December 2014 CERS UST Status Report can be found at the website below.

http://waterboards.ca.gov/water_issues/programs/ust/cers/faqs.shtml

The report shows over 92% of UST sites are now in CERS. There has been an increase from 33% to 46% of UST facilities that now have an accepted UST submittal and an increase from 9% to 49% that now have CME data. The report includes a breakdown by CUPA and PA. The next quarterly status report will be in March 2015, after the next scheduled deadline for CME reporting, and it shall include updated Report 6 data. For more information, contact Dan Firth at daniel.firth@calepa.ca.gov.

Updated CERS FAQ – Creating a Valid UST Report 6

The FAQ regarding how to create a valid UST Report 6 in CERS has been updated to reflect the enhancements to the Inspection Summary Report by Regulator (Report 6) that is found in the “Reports” section of CERS. Much of the data reported in the CERS UST reports is based on ‘Accepted’ submittals. If a submittal has not been reviewed and the status of the submittal in CERS is either *submitted*, *under review*, or *not accepted*, then the results will not be included in these reports. This was intentional to ensure that the data from the reports is based on UPA-validated data.

Regarding the accuracy of Report 6, if all UST sites have a CERS ID number, the number of reported UST facilities should equal the number of UST facilities in CERS. UST facility profiles shall be created for UST sites that have not yet been entered into CERS.

This FAQ can be found in the General Regulator Help Section of CERS, <https://cersregulator.calepa.ca.gov/Help>. For questions regarding this FAQ contact Gabe Herrera at (916) 319-9128 or gabriel.herrera@waterboards.ca.gov.

New CERS FAQ – Can Submittals Be Deleted?

A new CERS FAQ regarding the deletion of submittals has been posted in the General Regulator Help Section of CERS, <https://cersregulator.calepa.ca.gov/Help>. In general, submittals cannot be deleted from

CERS because they are a legal reporting of required information by a regulated facility. A business user who claims that a submittal is wrong can make a new submittal and provide a comment to the regulator that the latest submittal supersedes the previous one, but the previous submittal will not be deleted from CERS. There are exceptions however, such as a submittal to the wrong facility, in which case the submittal would need to be deleted for it could create a serious potential problem. For questions regarding this FAQ contact Gabe Herrera at (916) 319-9128 or gabriel.herrera@waterboards.ca.gov.

CERS Update – UST Facility/Tank Data Download

UST Facility/Tank Data Download in the “Reports” section of CERS has been modified to allow the download of all UST submittals data, and not just data from *accepted* submittals. This feature has been added in response to the request of allowing the download of data from submittals that had not been accepted. To download all submittal data, uncheck the “Accepted Submittal Only” box as shown in the screenshots below:

The screenshot shows the CERS Regulator interface for the 'UST Program Report: UST Facility/Tank Data Download'. The 'Accepted Submittal Only' checkbox is checked, and a red circle highlights it. The form includes fields for Regulator, CERS ID, Tank Use, Tank Primary Containment, Piping Primary Containment, Date Submitted, Tank Contents, Tank Capacity, and Date Installed. A 'Generate Excel Report' button is visible at the bottom right.

The screenshot shows the same CERS Regulator interface, but the 'Accepted Submittal Only' checkbox is now unchecked, and a red circle highlights it. The rest of the form and navigation elements are identical to the previous screenshot.

For questions or additional information regarding this update, contact Gabe Herrera at (916) 319-9128 or gabriel.herrera@waterboards.ca.gov.

Public Record Information Updated

The Federal Energy Policy Act of 2005 requires states to annually make a public record summary of information related to USTs. The State Water Board UST Program webpage below has been updated to reflect UST information from the 2013/2014 period.

http://www.waterboards.ca.gov/water_issues/programs/ust/leak_prevention/public_record_sum_info.shtml.

For questions regarding this public record information, contact Gabe Herrera at or (916) 319-9128 or gabriel.herrera@waterboards.ca.gov.

Update to Caldwell Recertification

In the July 2014 UST Program Update, the State Water Board included an advisory about service technicians using the Caldwell Level Change Indicator who were not being recertified by the manufacturer. Currently there are still service technicians with expired certifications that are older than 36 months and service technicians with certifications that do not have a certification/expiration date to determine when recertification is required. Service technicians with expired certifications are not allowed to perform secondary containment testing with the Caldwell Level Change Indicator. In addition, service technicians that have been certified but do not have a certification/expiration date on their certification to prove they have received training within the last 36 months are also not allowed to perform secondary containment testing with the Caldwell Level Change Indicator. These service technicians are required to contact Caldwell Systems to recertify and obtain a certification with a valid certification/expiration date if they wish to continue to use the Caldwell Level Change Indicator to perform secondary containment testing.

If you have questions regarding recertification of the Caldwell Level Change Indicator, contact Cory Hootman at (916) 341-5668 or cory.hootman@waterboards.ca.gov.