



# UST Program Update January 2017

## **\$14 Million Settlement Reached with British Petroleum for Underground Storage Tank Violations**

On November 17, 2016 Attorney General Kamala D. Harris announced a \$14 million settlement with British Petroleum (BP) West Coast Products LLC, BP Products North America, Inc., and Atlantic Richfield Company over allegations that the companies violated state laws regarding operating and maintaining motor vehicle underground storage tank (UST) laws. The Attorney General's office and several district attorneys across the state allege that BP failed to properly inspect and maintain underground tanks used to store gasoline for retail sale at approximately 780 gas stations in California over a period of 10 years and violated other hazardous material and hazardous waste laws.

More information about the settlement can be found at <https://www.oag.ca.gov/news/press-releases/attorney-general-kamala-d-harris-announces-14-million-settlement-bp-underground> . A copy of the complaint and stipulation of judgment is attached to the online version of this release at <https://www.oag.ca.gov/news>.

For more information, please contact Ms. Laura Fisher at [laura.fisher@waterboards.ca.gov](mailto:laura.fisher@waterboards.ca.gov) or (916) 341-5870.

## **When to Review UST Records**

The State Water Resources Control Board (State Water Board) has updated the correspondence *When to Review Underground Storage Tank Records* to advise Unified Program Agencies (UPAs) when to review UST records submitted via the California Environmental Reporting System (CERS) or other means. These revisions are intended to address concerns regarding UPA staffing limitations while still protecting public health, safety, and the environment and ensuring that the needs of the regulated community are met. All facility information is required to be reviewed during the annual inspection (Health and Safety Code, Chapter 6.7, § 25288 (a)). This makes the deadline for reviewing UST records the same as the annual inspection date, and under no circumstances longer than one year. State Water Board expects; UST testing and maintenance records to be reviewed as soon as possible, but no later than 30 days after the submittal date, and all other records be reviewed for completeness and accuracy, though not necessarily field verified, as soon as possible, but no later than 60 days after the submittal date.

The above referenced correspondence can be found on our website at [http://waterboards.ca.gov/water\\_issues/programs/ust/adm\\_notices/rvw\\_ust\\_records.pdf](http://waterboards.ca.gov/water_issues/programs/ust/adm_notices/rvw_ust_records.pdf). For more information, please contact Ms. Lisa Jensen at [lisa.jensen@waterboards.ca.gov](mailto:lisa.jensen@waterboards.ca.gov) or (916) 319-0742.

## **Proposed Title 23 UST Regulations for Meeting Federal UST Requirements**

The United States Environmental Protection Agency (U.S. EPA) issued revised federal UST regulations on July 15, 2015. The compliance deadlines for the new requirements in the federal UST regulations range from October 13, 2015 to October 13, 2018. Since the UPAs require the authority to inspect for and enforce the new federal UST regulations, the State Water Board's staff, in conjunction with the U.S.EPA, are updating the California Code of Regulations to include the new requirements in the federal UST regulations that will affect California USTs. The proposed text and additional information will be provided sometime early this year for UPAs to make comments.

For more information, please contact Mr. Cory Hootman at [cory.hootman@waterboards.ca.gov](mailto:cory.hootman@waterboards.ca.gov) or (916) 341-5668.

## **December 2016 Quarterly UST Status Report**

The December 2016 Quarterly UST Status Report was submitted to the U.S. EPA December 20, 2016 and posted to our website at

[http://www.waterboards.ca.gov/water\\_issues/programs/ust/adm\\_notices/updates/index.shtml](http://www.waterboards.ca.gov/water_issues/programs/ust/adm_notices/updates/index.shtml). The report outlines the status, by UPA, of the effort to enter UST related business and compliance, monitoring, and enforcement data into CERS. The report shows continued progress by many UPAs.

For more information, please contact Mr. Dan Firth at [daniel.firth@calepa.ca.gov](mailto:daniel.firth@calepa.ca.gov) or (916) 445-5049.

## **Updated CERS FAQs Posted**

The existing CERS frequently asked question (FAQ) "How a changed UST Tank ID should be handled?" has been revised to reflect the appropriate actions a UPA should take when a facility owner/operator has changed an existing tank ID. UPAs should not accept a submittal with a modified tank ID. UPAs should refer to the Business Owner CERS FAQ "Can (or should) I change a UST Tank ID Number?" to assist the business owner in closing the tank and opening a new one with the desired tank ID. The FAQ "Can (or should) I change a UST Tank ID Number?" was also updated to help assist business owners on what to do if they are considering changing a tank ID number.

The link to the updated CERS FAQs can be found at <https://cersregulator.calepa.ca.gov/Help> and/or [http://waterboards.ca.gov/water\\_issues/programs/ust/cers/faqs.shtml](http://waterboards.ca.gov/water_issues/programs/ust/cers/faqs.shtml).

For more information, please contact Mr. Dan Firth at [daniel.firth@calepa.ca.gov](mailto:daniel.firth@calepa.ca.gov) or (916) 445-5049.