



UST Program Update November 2017

Underground Storage Tank Lining and Repair

The State Water Resources Control Board (State Water Board) has seen a dramatic increase in the number of underground storage tank (UST) entries for primary repairs and linings. To better understand the root cause of the increase in repairs and lining, the State Water Board has made multiple requests that tank lining companies notify the State Water Board prior to performing UST linings. The response to these requests has been underwhelming.

The State Water Board is requesting Unified Program Agencies (UPAs) to notify the State Water Board prior to expected UST entries. The request for notification allows the State Water Board to follow the process and collect relevant information to assist in proper updates to the regulations. The State Water Board has revised the previously issued Tank Lining Notification and request the *Underground Storage Tank Entry Notification* form be used for all UST entries, including lining, periodic inspections and repairs. The revised document can be found here:

https://www.waterboards.ca.gov/ust/adm_notices/cupa_ust_entry_notification.pdf

The State Water Board is also finding that UST owners or operators are not adequately demonstrating the structural integrity of the USTs prior to lining or repairing. Some of the problems observed by the State Water Board are:

- Lining installed without structural integrity testing performed by a California State Licensed Engineer.
- UPAs not being presented with structural certifications prior to repair or lining.
- UPAs not reviewing structural certifications prior to authorizing repair or lining.
- Lining and repairs being performed without UPA notification or permits.
- Improper contractor licenses being utilized to perform tank entries.

For questions or notifications regarding UST lining, repair or entry, please contact Mr. Tom Henderson at (916) 319-9128 or tom.henderson@waterboards.ca.gov.

The State Water Board Obtains Administrative Enforcement Authority

On October 6, 2017, the Governor signed into law AB 355 (Chu) Water Pollution: enforcement. This new law authorizes the State Water Board to impose administrative civil penalties for violations of underground storage tank program requirements. The new authority will streamline underground storage tank program enforcement by allowing the State Water Board to administratively prosecute more cases in a shorter period, rather than referring such cases to the Attorney General. The State

Water Board will carry out these enforcement efforts in consultation with local agencies.

For more details about this new law, including the amended and added statutory language, please visit the website for California Legislative Information at

https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB355.

For questions regarding the State Water Board's UST enforcement program, please contact the UST Enforcement Unit Supervisor, Amantha Henkel at (916) 341-5551 or

amantha.henkel@waterboards.ca.gov .

CERS Data-Mining, Training Update

State Water Board offers training to UPAs to dig deep into their CERS data using the available CERS reports and Excel. Beginning early in 2016 trainings were piloted as part of oversight inspections, today an agency can obtain training via a webinar, at their facility, or with a group of UPAs. As of October 1, 2017, twenty-nine different UPAs and 107 individuals have received data-mining training. The feedback has been positive and State Water Board has seen an improvement in the UST tank monitoring and construction data in CERS as a direct result of training. At the upcoming CUPA conference, Ms. Lisa Jensen will offer a session dedicated to CERS data-mining.

For more information about obtaining CERS data-mining training, please contact Ms. Lisa Jensen at (916) 319-0742 or lisa.jensen@waterboards.ca.gov.

Renewable Gasoline Treated as Conventional Gasoline

On October 24, 2017, the State Water Resources Control Board (State Water Board), in conjunction with the California Air Resources Board, issued a joint statement intended to clarify questions that have been raised regarding gasoline made from renewable blendstocks; also known as renewable gasoline.

Despite renewable gasoline meeting the requirements for conventional gasoline, there have been questions regarding the ability of marketers and others to store renewable gasoline in underground storage tanks (USTs). Any finished renewable gasoline that meets California reformulated gasoline regulations and ASTM D4814 is considered conventional gasoline fuel that can be used with existing UST infrastructure and motor vehicle engines. The joint statement can be found at:

https://www.waterboards.ca.gov/ust/tech_notices.shtml

For additional clarification, please contact Mr. Cory Hootman at (916) 341-5668 or

cory.hootman@waterboards.ca.gov.

Steel Tank Institute Standard for UST Inspection and Repair

The Steel Tank Institute released the *Standard for Inspection, Repair and Modification of Shop-Fabricated Underground Storage Tanks for Storage of Flammable and Combustible Liquids - SP131*. This is the most current of the nationally recognized UST inspection and repair standards and directly addresses repairs and manway installation for double walled USTs. The Standard can be purchased at

<http://www.steeltank.com/Publications/STISPFASore/ProductDetail>