



UST Program Update

August 2024

Report 6 Due September 1, 2024

The State Water Resources Control Board (State Water Board) recently distributed the Report 6 forms and instructions to all Unified Program Agencies (UPAs) for the reporting period of January 1 through June 30, 2024. UPAs must submit Report 6 no later than September 1, 2024. Inaccurate Report 6 data provided to the State Water Board will be returned to the UPA for corrections. The UPAs must provide the corrected Report 6 prior to the September 1, 2024 due date or be considered late.

The current Report 6 forms no longer have questions pertaining to enforcement of single-walled underground storage tanks (USTs). Consistent with the last several reporting periods, UPAs will continue to report field constructed tanks, facilities with USTs that have received red tags, and facilities that have abandoned or temporarily closed USTs.

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

Technical Compliance Rate for Abandoned Tanks

UPAs are required to report the technical compliance rate (TCR) for inspected USTs, including abandoned USTs, as part of the Report 6. The State Water Board collects and reports the TCR data to the United States Environmental Protection Agency. The State Water Board has recently observed TCR data for abandoned USTs claiming the systems are in compliance and meet all the TCR requirements.

In 2019, the State Water Board provided an [inspection checklist for abandoned tanks](#)¹ to assist UPA inspectors. The State Water Board encourages UPAs to utilize the inspection checklist as it ensures abandoned USTs are correctly noted as out of compliance and not meeting the TCR requirements. Finally, abandoned USTs and their

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https://www.waterboards.ca.gov/ust/docs/abandoned_storage/abust_inspection_letter_and_checklist.pdf

compliance inspections must be recorded in the California Environmental Reporting System (CERS). The State Water Board published in the CERS [Frequently Asked Questions](#)² the process to report abandoned USTs in CERS in 2023.

For additional information regarding TCR for abandoned tanks, please contact: Tom Henderson at (916) 319-9128 or Tom.Henderson@waterboards.ca.gov.

Request to Submit Abstracts: 27th Annual CUPA Conference

The California Certified Unified Program Agency (CUPA) Forum is requesting abstracts for the 2025 CUPA Conference. Abstracts must be submitted on the [CUPA Forum website](#)³ by September 15, 2024. Please note that speaker biographies must be submitted and approved prior to submitting an abstract.

The State Water Board realizes that the time required to prepare and present at the conference is a substantial commitment for UPA management and the individual presenting. UPAs that continue to meet their obligations in addition to providing presentations will be recognized for their outstanding achievements.

For additional information regarding abstracts for the 27th Annual CUPA Conference, contact:

Jenna Hartman at (916) 327-8563 or Jenna.Hartman@waterboards.ca.gov.

Unified Program Agency Training

State Water Board staff continue to offer training to UPAs on CERS data discrepancies, Report 6, inspection procedures, and the International Code Council UST Inspector exam expectations. Those interested should contact the appropriate State Water Board staff to schedule a training time. Training may be provided remotely or in person.

For specific training information, contact:

- CERS Data: Kaitlin Cottrell at Kaitlin.Cottrell@waterboards.ca.gov.
- Technical and Inspection: Jenna Hartman at Jenna.Hartman@waterboards.ca.gov
- Report 6: Magnolia Busse at Magnolia.Busse@waterboards.ca.gov.

Overfill Prevention Equipment Inspection Methods

The State Water Board has been asked to provide clarification on overfill prevention equipment inspection (OPEI) methods, including verifying flow restrictors when the

² https://www.waterboards.ca.gov/ust/cers/tutorials/ru06_abandoned_usts.html

³ www.calcupa.org

primary overfill method is positive shut-off. For additional detailed guidance on overfill equipment, please reference [Local Guidance 150](#)⁴.

Inspection Methods

California Code of Regulations, title 23, division 3, chapter 16 (UST Regulations), section 2637.2(b) requires that the OPEI is performed in accordance with manufacturer's guidelines or standards, or industry code or engineering standards if there are no manufacturer's guidelines or standards, or a method developed by a California registered professional engineer if there is no industry code or engineering standards. The method determines the procedures that will be used during the inspection, such as removing flow restrictors, to determine if the overfill prevention equipment is set to activate at the correct level specified in UST Regulations, section 2635(c)(1).

Verifying Flow Restrictors

The OPEI form requires the service technician to certify by signature that the inspection was performed in accordance with UST Regulations, section 2637.2 and that all information on the form is accurate. The OPEI form also requires the service technician to indicate the inspection method used and if flow restrictors are installed on vent piping that may interfere with the operation of positive shut off.

If the service technician marks "No" on the OPEI form to indicate vent restrictors are not installed that interfere with the operation of the positive shut off valve, and they certify the OPEI form, no further action is necessary by the UPA inspector. The UPA inspector does, however, have the authority to request additional information, another inspection, or to repeat portions of an inspection in unique situations. For example, if a reportable unauthorized release occurred due to overfilling since the last OPEI, or the service technician was not properly trained by the manufacturer of the equipment. However, the UPA must be able to show that the need for a retest outweighs the burden on the owner or operator of retesting, including the cost of retesting.

For additional information on the OPEI, contact:

Jenna Hartman at (916) 327-8563 or Jenna.Hartman@waterboards.ca.gov.

Violations Corrected During the Inspection

State Water Board evaluation staff have observed a recurring issue of UPAs not documenting violations that are corrected during an inspection. It is required that any noncompliance identified during an inspection is documented as a violation in the inspection report and reported in CERS. This practice is essential for maintaining the

⁴ https://www.waterboards.ca.gov/ust/leak_prevention/lgs/docs/150-3.pdf

accuracy of the UPA's TCR and ensuring comprehensive documentation for progressive enforcement.

For additional questions regarding this topic, contact:

Michelle Suh at (916) 323-0878 or Michelle.Suh@waterboards.ca.gov.