

State Water Resources Control Board

July 14, 2026

To: Unified Program Agencies, Underground Storage Tank Owners and Operators, and Other Interested Parties

MONITORING REQUIREMENTS FOR FACILITIES NOT ROUTINELY STAFFED

This letter is intended to provide clarification regarding compliance with underground storage tank (UST) regulatory requirements.

BACKGROUND

Some UST facilities are not staffed during all operating hours (e.g., card lock or fleet motor vehicle fueling facilities). Beginning July 1, 2026, and with the exception of emergency tank systems, California Code of Regulations, title 23, division 3, chapter 16 (UST Regulations), section 2652(a)(1)(C) requires facilities that are not routinely staffed that have pressurized piping connected to a UST that is monitored by continuous interstitial release detection equipment, be programmed to shut off of the pump when it detects a release from the piping or the release detection system malfunctions.

DEFINITIONS

UST Regulations, section 2611 provides the following:

“Emergency tank system” means a UST system that stores diesel fuel or kerosene solely for use during emergencies by one or more of the stationary devices in accordance with Health and Safety Code, section 25281.5(c).

“Facility employee” means any on-site individual who is employed at the UST facility, and may be called upon to respond to spills, overfills, or other problems associated with the operation of the UST system. A “facility employee” is not considered the “operator” as defined in Health and Safety Code, section 25281, although the same individual may hold both positions.

“Fail safe” means that a release detection system will shut down the pump in the event of a power outage, or when the release detection system fails or is disconnected.

“Remote monitoring” means monitoring the UST from a location separate from the UST facility.

REGULATORY REQUIREMENTS

Pursuant to UST Regulations, section 2652(a)(1)(C), on and after July 1, 2026, at facilities that are not routinely staffed, UST systems with pressurized piping that are not emergency tank systems must have a fail safe continuous interstitial release detection system that shuts off the flow of hazardous substance through the piping when it detects a release from the piping or the release detection system malfunctions.

“Routinely staffed” means that there is at least one trained facility employee scheduled to be physically present on site during all operating hours. Regardless of a facility’s business hours, “operating hours” means any time when a hazardous substance is transferred out of a UST (i.e., by dispensing or otherwise circulating liquid hazardous substance through the connected piping).

UST Regulations, section 2643(e) requires that, except as provided in UST Regulations, section 2631(d), at least one facility employee with current training from the facility’s designated UST operator be on site at the facility during all operating hours. Under UST Regulations, section 2631(d) a facility is not required to be staffed during all operating hours if the facility’s designated UST operator implements a facility employee training program approved by the Unified Program Agency (UPA). Such a facility is not routinely staffed and must comply with the UST Regulations, section 2652(a)(1)(C).

STAND-ALONE SENSORS

On and after July 1, 2026, mechanical or electronic “stand-alone” sensors in under-dispenser containment (UDC) cannot be used at facilities that are not routinely staffed. Stand-alone sensors do shut off flow at the dispenser when they detect a release, but they do not shut down the pressure pump as required by UST Regulations, section 2652(a)(1)(C). The requirement for fail safe interstitial monitoring with pump shut down applies to the entire length of any pressurized piping connected to a UST (i.e., secondary piping and piping inside containment sumps and UDC up to the shear valve).

REMOTE MONITORING

Remote monitoring may be used by facilities that are routinely staffed, as well as by those that are not. The on-site presence of one or more trained facility employees, not the use of remote monitoring, determines the need for configuring monitoring of pressurized piping per UST Regulations, section 2652(a)(1)(C).

COMPLIANCE

To avoid being in violation, the owner and operator of any facility with stand-alone sensors must routinely staff the facility during all operating hours until the stand-alone sensors are replaced by approved release detection equipment programmed for fail safe shut down of the pressure pump(s).

Before installing, repairing, or modifying a UST system, the UST owner/operator or their contractor should contact the UPA and other applicable local authorities (e.g., building authority or fire agency having jurisdiction) regarding any requirements for permits and approvals.

ENFORCEMENT

The State Water Resources Control Board (State Water Board) expects UPAs to cite violations and initiate enforcement actions against owners and operators of noncompliant UST systems consistent with their Inspection and Enforcement Plans developed and implemented consistent with UST Regulations, section 2694. Enforcement will be verified by the State Water Board during periodic CUPA evaluations.

UPAs should, at a minimum, cite Violation Type 2031004 (UST Monitoring) when inspecting any facility with pressurized piping that is not routinely staffed and which is using stand-alone sensors or otherwise fails to comply with the requirement to monitor that piping with a continuous interstitial release detection system which shuts off flow when it detects a release or the release detection system malfunctions.

For additional clarification regarding requirements for unstaffed facilities, please contact me or the [UST Leak Prevention Unit](#).

Sincerely,



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