



# UST Program Update December 2014

## **U.S. EPA Evaluation of State Water Resources Control Board UST Leak Prevention Program**

In February 2014, U.S. Environmental Protection Agency (USEPA) evaluated the State Water Resources Control Board (Water Board) on its implementation of the underground storage tank (UST) provisions of the Energy Policy Act and other important provisions of the Federal UST Program. This was accomplished by reviewing records, procedures, and regulations within the State Water Board's UST Leak Prevention Program, as well as evaluating field inspections with Sacramento County, Fresno County, and Monterey County CUPAs.

As a result of U.S. EPAs evaluation, the State Water Board's UST Leak Prevention Program was found to meet and exceed national standards. California displayed strengths in advance leak detection, well-trained inspectors, and streamlined comprehensive inspections. Thank you to all CUPA/PAs for the ongoing collaborative and successful partnerships with the State Water Board, and for diligently implementing the State Water Board's vision.

The complete report of USEPA's evaluation of California and a letter commending California's significant work of implementing the UST Program, can be found on a new Water Board webpage titled, *EPA Evaluation of California UST Leak Prevention Program*, linked under "Hot Topics" of the UST Program Webpage below.

[http://www.waterboards.ca.gov/water\\_issues/programs/ust/](http://www.waterboards.ca.gov/water_issues/programs/ust/).

## **Single-Walled UST Permanent Closure - Email Distribution List**

A new email distribution list for information regarding the December 31, 2025 single-walled UST permanent closure provisions of Senate Bill 445 has been created. Those who subscribe to this list will periodically receive key program information to assist with compliance of this requirement.

To subscribe, visit the website below and click on the box marked "Single-Walled UST Permanent Closure Requirement: Information and Updates on the Single-walled Underground Storage Tank Permanent Closure Requirement: December 31, 2025".

[http://www.waterboards.ca.gov/resources/email\\_subscriptions/ust\\_subscribe.shtml](http://www.waterboards.ca.gov/resources/email_subscriptions/ust_subscribe.shtml)

## **New CERS FAQ – General Reporting Requirements for USTs**

A new California Environmental Reporting System (CERS) FAQ regarding the general reporting requirements for UST sites and whether all UST fields must be properly completed has been posted in the General Business Help Section of CERS, <https://cersbusiness.calepa.ca.gov/Help>. California Health and Safety Code chapter 6.11 requires that all Unified Program related information be reported electronically through CERS or a local reporting portal, if provided by the CUPA. There is an exception to this requirement outlined in the recent CalEPA Unified Program Guidance Letter 14-08, posted in <http://www.calepa.ca.gov/CUPA/Bulletins/>, as well as an updated CERS FAQ on Which UST Forms Must Be Uploaded, posted in <https://cersbusiness.calepa.ca.gov/Help>.

Although CERS allows a submission to be made when some fields are left blank, all appropriate UST related fields must be properly completed when applicable. Otherwise, it is incomplete. Not all data entry fields are applicable for all situations, however, and there is no requirement for a business to fill in fields that are not applicable. A CUPA or PA should reject a submittal if it is incomplete.

## **Regulation Change for Tanks in Flood Prone Areas**

An amendment to the California Code of Regulations, title 8, section 5605 made by the Department of Industrial Relations became effective on October 1, 2014. The amended regulation makes changes to installation USTs installed in areas that may be subjected to flooding. USTs in areas that are prone to flooding, according to Federal Emergency Management Agency (FEMA) flood maps and flood zone definitions, must be anchored, weighted, or secured by an approved means. USTs installed after October 1, 2014 and in areas that may be subjected to flooding must be installed in accordance with the provisions of National Fire Protection Association (NFPA) 30-2012. USTs 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 are found at <https://msc.fema.gov>.

For a complete text of this regulation, visit the WestlawNext website at [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)).