



UST Program Update November 2023

Facility Compliance Inspection Reporting

California Code of Regulations, title 23, division 3, chapter 16 (UST Regulations), section 2713(d) requires the Unified Program Agency (UPA) to report to the State Water Resources Control Board (State Water Board), no later than January 31st each year, the number of underground storage tank (UST) facilities where a compliance inspection was not performed over the previous calendar year. The State Water Board is required to report annually to the United States Environmental Protection Agency (U.S. EPA) on several performance measures as part of the Energy Policy Act of 2005 (EPAAct). One of the EPAAct performance measures requires states to certify that a UST facility compliance inspection has been conducted at every UST facility at least once during the past three years, thereby meeting the federal inspection frequency. At the direction of U.S. EPA, the California Environmental Reporting System (CERS) will be used to verify each UPA has complied with the federal UST inspection frequency.

To assist UPAs in verifying the accuracy of UST facility compliance inspections, UPAs should use the [UST Routine Inspection Frequency](#)¹ search tool in CERS. The State Water Board sent a [letter to UPA managers on October 25, 2023](#)² which included instructions on how to use the UST Routine Inspection Frequency search tool. UPAs should use this tool early to identify facilities where a compliance inspection has not been performed during the 2023 calendar year, or to ensure the correct data has been properly uploaded to CERS. This report will assist UPAs in identifying missing inspections or inaccurate data. State Water Board staff strongly suggest UPAs run the CERS UST Routine Inspection Frequency search now and again in mid-December. As a reminder, virtual or desk audit UST compliance inspections without an on-site element do not satisfy the UST compliance inspection provision of the EPAAct.

¹ <https://cersregulator2.calepa.ca.gov/Reports/USTRoutineInspectionFrequencySearch>

² <https://www.waterboards.ca.gov/ust/docs/ust-compliance-inspection-2024.pdf>

For more information regarding compliance inspections reporting requirements, contact Tom Henderson at (916) 319-9128 or Tom.Henderson@waterboards.ca.gov.

Public Records Information Web Page

In addition to the UST compliance inspection reporting above, the EPA Act requires states to annually update a public summary of the number of current UST facilities, systems, inspections performed, and available data on unauthorized release sources and causes. On November 1, 2023, the State Water Board updated the [Public Records Summary Information of Underground Storage Tanks web page](#)³. The reporting period for the summary is July 1, 2022 through June 30, 2023 and includes the percentage of UST systems in compliance with the technical compliance rate performance measure.

For information regarding the public records web page, contact Tom Henderson at (916) 319-9128 or Tom.Henderson@waterboards.ca.gov.

Tanks without Independent Testing Organization Approval

The State Water Board is aware of tanks available in California without approval from an independent testing organization such as Underwriter's Laboratories. UST Regulations, section 2631(b) requires the design and construction of the UST primary containment, including any integral secondary containment system, and all components used to construct the primary containment system to be approved by an independent testing organization.

UPA UST inspectors must ensure proper independent third-party testing organization labels are correctly affixed to the tank at installation. Tanks without proper labeling cannot be installed as USTs and must be rejected for installation.

For additional information regarding independent testing organization approval, contact Jenna Hartman at (916) 327-8563 or Jenna.Hartman@waterboards.ca.gov.

Functionality Testing for Replaced Release Detection Equipment

Release detection equipment repair or replacement, including equipment replaced like-for-like, that occurs outside a system's annual monitoring certification is subject to functionality testing before the system is placed back into service. Service technicians must document functionality testing using the *Monitoring System Certification Form* and mark the type of action as "Repair". UPAs cannot waive documenting functionality testing on the *Monitoring System Certification Form* for release detection equipment repairs or like-for-like replacement. The UST owner or operator must provide the

³ https://www.waterboards.ca.gov/ust/leak_prevention/public_record_sum_info.html

completed *Monitoring System Certification Form* to the UPA having jurisdiction over the facility within 30 days of performing the test and maintain the document for 36 months. Current UST forms can be found on the [State Water Board UST Reporting and Inspection Forms web page](#).⁴

For additional information regarding functionality testing for replaced sensors, contact Austin Lemire-Baeten at (916) 357-5612 or Austin.Lemire-Baeten@waterboards.ca.gov.

Dan Firth's Retirement

Dan Firth retired from state assistance in October of this year. Dan provided an invaluable resource to the UST community through CERS data discrepancy cleanup and development of new CERS report enhancements. Prior to working as a contractor with the State Water Board and the California Environmental Protection Agency, Dan worked in local hazardous materials and UPA programs in the state for 27 years. Dan will be missed, and we wish him all the best.

CERS FAQ: Reporting Permanent Closure and Installation of USTs

State Water Board staff developed a new CERS Frequently Asked Question (FAQ), *Reporting Closure of USTs and Installation of New USTs*, to assist UST owners or operators in reporting the permanent closure and subsequent installation of one or more new USTs at the same facility. This new FAQ is located on the [State Water Board CERS FAQ web page](#).⁵

For additional information regarding permanent closure and installation of USTs, please contact Jenna Hartman at (916) 327-8563 or Jenna.Hartman@waterboards.ca.gov.

UST Facility Location Data in CERS

The State Water Board and U.S. EPA's contractor, Redhorse Corporation, use UST facility location data in CERS to make important decisions about each facility's potential risk to health and human safety. When UPA staff review CERS submittals, they must verify facility addresses, confirm the site locations map correctly via the "Location Map" screen, and make corrections as needed, either by dragging the location pin or by manually entering the correct coordinates, and clicking the "save" button.

⁴ <https://www.waterboards.ca.gov/ust/publications/forms.html>

⁵ https://www.waterboards.ca.gov/ust/cers/tutorials/bu14_reporting_closure_and_new_installation.html

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- Location Map

Facility Location Map

Training
Build: 3.09.0008

The location map below is only a rough approximation of the location based upon automated geolocation of the facility address. Please reposition the pushpin on the map and select the "Save" button to update the location map.

<p><small>Physical Address</small> 8001 Broadway Lemon Grove, CA 91945</p>	<p><small>Estimated Accuracy (in meters)</small> 300.00</p>	<p><small>Collection Date</small> 3/11/2015 11:43 AM</p>
<p><small>Latitude Measure</small> 32.7426000</p> <p><small>Longitude Measure</small> -117.0260000</p>	<p><small>Reference Datum</small> WGS84 (World Geodetic System of 1984) ▼</p> <p><small>Collection Method</small> Address Matching ▼</p>	<p><small>Reference Point</small> Facility Center/Centroid ▼</p>

Save

For questions about updating the UST facility location data in CERS, please contact Johnny Wales at (804) 852-7274 or Johnny.Wales@waterboards.ca.gov.