



Underground Storage Tank Program

January 2026 Update

Enforcement of the New Regulation Requirements

The underground storage tank (UST) community has reached out to the State Water Resources Control Board (State Water Board) for clarification on how the Unified Program Agencies (UPAs) should enforce the new requirements of Title 23, chapter 16 ([UST Regulations](#)¹). Some UST owners and operators who were previously compliant may now be in violation and may take time to return to compliance. UPAs should address these violations in the same manner as other violations by citing the violation(s) and applying progressive enforcement.

In contrast, all single-walled UST systems were required to be permanently closed by December 31, 2025, pursuant to Health and Safety Code, chapter 6.7 (H&SC, 6.7). Single-walled UST systems do not meet the requirements of H&SC, 6.7, sections 25290.1, 25290.2, or 25291(a)(1) through (6) and are therefore in significant violation. UPAs are expected to immediately affix red tags to any remaining single-walled UST systems.

For questions on UST Regulations and associated enforcement actions, contact: Austin Lemire-Baeten at (916) 327-5612 or Austin.Lemire-Baeten@waterboards.ca.gov or Jenna Hartman at (916) 327-8563 or Jenna.Hartman@waterboards.ca.gov

Enforcement Data in CERS

The State Water Board anticipates an increase in formal enforcement actions as UPAs navigate the remaining single-walled USTs closures. All red tag and enforcement data must be entered into the California Environmental Reporting System (CERS). The State Water Board requests that UPAs enter all red tag and enforcement data into CERS at their earliest opportunity. UPAs needing assistance with entering red tag information in CERS should refer to the CERS FAQ, [How to Enter Red Tag Information](#).²

For questions regarding enforcement information in CERS, contact: Magnolia Busse at (916) 341-5870 or Magnolia.Busse@waterboards.ca.gov

¹ <https://www.waterboards.ca.gov/ust/regulatory/docs/ccr23-chapter-16-2026.pdf>

² https://www.waterboards.ca.gov/ust/cers/ru01_red_tag.html

Release Detection Equipment Testing and the Compliance Inspection

It is common practice for UPAs to conduct annual compliance inspections in conjunction with the release detection equipment testing. However, UST Regulations do not require an inspector to witness the release detection equipment testing. Additionally, UST Regulations now require that the testing notification be submitted to the UPA 72 hours prior to the test. Therefore, if the UST owner or operator has provided the proper 72-hour notification, UPAs do not have the authority to require UST owners or operators to begin the test later for any reason, such as requiring the owner or operator to reschedule to a later date or requiring the service technician to wait for the UST inspector to arrive.

For questions regarding the annual compliance inspection, contact:
Michelle Suh at (916) 323-0878 or Michelle.Suh@waterboards.ca.gov

Facility Compliance Inspection Reporting

UST Regulations section 2692(b) requires UPAs to report to the State Water Board, by January 31 each year, the number of UST facilities where a compliance inspection was not conducted during the previous calendar year. The State Water Board must also report annually to the United States Environmental Protection Agency (U.S. EPA) on several performance measures under the Energy Policy Act of 2005 (EPAct), including certification that all UST facilities have received a compliance inspection at least once every three years, in accordance with the federal inspection frequency requirement. At the direction of the U.S. EPA, CERS will be used to verify that each UPA has complied with the federal UST inspection frequency.

The State Water Board recommends that UPAs use the [UST Routine Inspection Frequency](#)³ search tool in CERS to verify the accuracy of UST facility compliance inspections. On October 17, 2025, the State Water Board provided a [letter](#)⁴ to UPA managers that included instructions for utilizing the search tool. UPAs should use this tool to identify facilities where a compliance inspection has not been performed during the 2025 calendar year and to verify that accurate data has been reported to CERS.

For more information regarding compliance inspection reporting requirements, contact: Magnolia Busse at (916) 341-5970 or Magnolia.Busse@waterboards.ca.gov

Report 6 Due March 1, 2026

The State Water Board recently distributed the Report 6 forms and instructions to all UPAs for the reporting period of July 1, 2025, through December 31, 2025. UPAs must

³ <https://cersregulator2.calepa.ca.gov/Reports/USTRoutineInspectionFrequencySearch>

⁴ <https://www.waterboards.ca.gov/ust/docs/ust-compliance-inspection.pdf>

submit the completed Report 6 no later than March 1, 2026. Additionally, forms and instructions may be found on our website under [Report 6 and U.S. EPA Compliance Measures](#).⁵

If inaccurate Report 6 data is submitted, it will be returned to the UPA for corrections. Corrected Report 6 submissions must also be received by the March 1, 2026, deadline to avoid being considered late.

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

⁵ https://www.waterboards.ca.gov/ust/leak_prevention/report_6.html