

Compliance with Federal Underground Storage Tank Regulations

Effective October 13, 2018

In October 2015, the United States Environmental Protection Agency (EPA) amended the federal regulations for underground storage tank (UST) systems. Some of the new requirements in the federal UST regulations became effective in October 2015. Other requirements have an implementation date of October 13, 2018. EPA revised the federal UST regulations by adding new operational and maintenance requirements for UST owners and operators, and also addressed UST systems deferred by EPA.

These requirements include:

- Secondary containment for new and replaced tanks and piping
- Additional UST operator training
- Periodic operational and maintenance for UST systems
- UST system compatibility considerations before storing certain biofuel blends
- Removed past deferrals for emergency generator USTs, field constructed USTs, and airport hydrant systems

See EPA's website (<https://www.epa.gov/ust/revising-underground-storage-tank-regulations-revisions-existing-requirements-and-new>) for the revised federal UST regulations and additional information to help UST facilities understand the changes.

The State of California Water Resources Control Board (SWRCB) is currently in the process of amending the California UST Regulations (CCR Title 23) to incorporate the above requirements to be at least as stringent as the federal regulations. The text of proposed regulations are available at https://www.waterboards.ca.gov/water_issues/programs/ust/adm_notices/fed_rec_regs/.

UST owners and operators may be in compliance with some of the federal requirements because state regulations already addressed the federal requirements. This FAQ bulletin is to inform UST owners and operators of the new federal requirements not currently mandated under California regulations but which will be required as of October 13, 2018.

What new requirements will affect overfill prevention equipment for a UST system?

Answer: Owners and operators are required to inspect the UST system overfill prevention equipment to ensure that the equipment activates at the correct level. The first inspection must be performed at least once by October 13, 2018, and at least once every 36 months thereafter. The equipment must also be inspected within 30 days of the completion of a repair. The inspection must be conducted per the manufacturer of the equipment; however,

if a manufacturer's protocol is not available, industry standards, or agency requirements may be followed. The overfill inspections must be documented, and the records shall be maintained by the owners and operators for 3 years. An Overfill Prevention Equipment Inspection Report form will be available once the amendments to CCR Title 23 have been adopted.

Note: Effective October 13, 2015, when overfill prevention is installed or replaced, flow restrictors in vent lines no longer comply with the overfill prevention requirement.

What new requirements will affect UST facility Designated Operator Inspections?

Answer: Designator Operator (DO) inspections must be conducted at least once every 30 days rather than within each calendar month. In addition to the current requirements outlined in CCR Title 23 section 2715(c), the DO must also visually check for damage to the spill prevention equipment, check for and remove obstructions in the fill pipe and ensure that the fill cap is securely on the fill pipe. The first inspection of spill prevention equipment must be performed at least once by October 13, 2018, and every 30 days thereafter. The DO must inspect containment sumps* for damage, leaks, or releases to the environment, remove any liquid or debris and for double walled containment sumps with interstitial monitoring, and check for a leak in the interstitial area. Owners and operators must continue to maintain the DO reports for at least one year.

(*Under the proposed amendments to CCR Title 23 only containment sumps that have had an alarm for which there is no record of a service visit need to be inspected)

What new requirements will affect the Monitor Certification for a UST system?

Answer: The annual monitor certification must now include testing the monitor panel backup battery, checking the probe shaft for damage, ensure that sensors and floats move freely, and cables are free of kinks and breaks. Also, secondary containment sumps must be inspected for damage, liquid, and debris. The additional requirements must be included in the certification report prior to October 13, 2018. Owners and operators must maintain the results of the annual monitor certification for at least 3 years.

What new requirements will affect Designated Operator Training requirements?

Answer: If an employee is hired on or after October 13, 2018, they must be trained by the Designated Operator before assuming the duties of a facility employee. Designated Operator training for facility employees must include a practical demonstration.

What new requirements will affect Emergency Generator UST systems?

Answer: All underground pressurized piping connected to an emergency generator tank system must be retrofitted with an automatic line leak detector that activates an audible and visual alarm when a leak is detected. The line leak detector must be installed and certified by October 13, 2018.

