

## Unified Program Newsletter – July 2025

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### State Water Board

#### Chapter 16 Rewrite Rulemaking Updates

The State Water Resources Control Board (State Water Board) will consider adopting the proposed amendments to California Code of Regulations, title 23, division 3, chapter 16 (Underground Storage Tank (UST) Regulations) during its September 3, 2025, Board meeting. If adopted by the State Water Board, the rulemaking will be sent to the Office of Administrative Law for approval with an effective date of January 1, 2026.

#### Local Guidance Letters

In anticipation of the proposed regulations, State Water Board staff (staff) are updating the local guidance (LG) letters. The updated LG letters will be organized under broader topics using a revised numbering system on the existing [State Water Board LG webpage](https://www.waterboards.ca.gov/water_issues/programs/ust/leak_prevention/lgs/) ([https://www.waterboards.ca.gov/water\\_issues/programs/ust/leak\\_prevention/lgs/](https://www.waterboards.ca.gov/water_issues/programs/ust/leak_prevention/lgs/)). Updated LG letters are expected to be available for review this fall.

#### UST Violation Library

Staff are updating the California Environmental Reporting System (CERS) UST violation library to align with the proposed rulemaking. The draft version will be available for Unified Program Agency (UPA) review following adoption of the proposed UST Regulations by the State Water Board. The updated UST violation library will be available for use in CERS on January 1, 2026.

Air Resources Board • Department of Pesticide Regulation • Department of Resources Recycling and Recovery  
Department of Toxic Substances Control • Office of Environmental Health Hazard Assessment  
State Water Resources Control Board • Regional Water Quality Control Boards

Additional information pertaining to the rulemaking can be found on the [UST Leak Prevention Program's Chapter 16 webpage](https://waterboards.ca.gov/water_issues/programs/ust/leak_prevention/chapter16/write.html) ([https://waterboards.ca.gov/water\\_issues/programs/ust/leak\\_prevention/chapter16/write.html](https://waterboards.ca.gov/water_issues/programs/ust/leak_prevention/chapter16/write.html)).

For additional information regarding LG letters and the UST violation library, contact: Jenna Hartman at (916) 327-8563 or [Jenna.Hartman@waterboards.ca.gov](mailto:Jenna.Hartman@waterboards.ca.gov).

### **Replacing, Removing, or Upgrading Underground Storage Tanks Program Modifications Regarding Single-Walled UST Removal**

In accordance with Health and Safety Code (HSC), chapter 6.7, section 25292.05, all single-walled USTs and non-exempt single-walled piping must be permanently closed by December 31, 2025.

The 2025 California Budget Public Resources Trailer Bill (SB124) amended HSC provisions related to the Replacing, Removing, or Upgrading Underground Storage Tanks (RUST) Program. The amendment allows eligible RUST applicants to begin their projects prior to receiving and executing a RUST agreement and still receive reimbursement for those costs once the agreement is finalized.

Under the revised statutes, applicants who submitted an application on or before June 30, 2025, may begin the removal process with pending RUST Program approval. These applicants will be reimbursed for those costs after the RUST agreement is executed, provided that all single-walled USTs and non-exempt single-walled piping at the facility are removed on or before December 31, 2025.

Eligible costs incurred prior to the RUST agreement execution are limited to the following costs:

- Costs to remove single-walled USTs and non-exempt single-walled piping incurred on or after December 31, 2024, and before January 1, 2026; and
- Costs to replace single-walled USTs and non-exempt single-walled piping incurred on or after December 31, 2024, and before January 1, 2027.

For additional information regarding the RUST Program, contact: McLean Reich at [McLean.Reich@Waterboards.ca.gov](mailto:McLean.Reich@Waterboards.ca.gov).

### **Single-Walled UST Enforcement**

As a reminder, UPAs should initiate enforcement actions against all owners and operators with single-walled USTs and non-exempt single-walled piping beginning January 1, 2026. This includes enforcement against non-compliant government owned USTs and non-compliant emergency tank systems. The proposed UST Regulations have expanded the definition of significant violation to include single-walled USTs that have not been properly closed, allowing the UPAs to immediately apply red tags to all single-walled USTs.

Enforcement actions include affixing red tags and pursuing penalties of \$500 to \$5000 per tank, per day, per violation in accordance with HSC, chapter 6.7, section 25299(a)

and (b). In cases involving non-compliant emergency tank systems, or when a UPA determines that affixing a red tag is not an appropriate or effective option, UPAs should consider applying the maximum penalty amount of \$5000 per tank, per day of violation.

With less than six months remaining, UPAs should notify single-walled UST owners and operators of their intent to affix red tags and pursue penalties for single-walled USTs and non-exempt piping that does not permanently close by the December 31, 2025, closure deadline. Additionally, UPAs should assess the number of red tag supplies needed for preparation of the closure deadline and contact UST Leak Prevention Unit staff accordingly.

For questions regarding single-walled USTs, contact:  
Jenna Hartman at (916) 327-8563 or [Jenna.Hartman@waterboards.ca.gov](mailto:Jenna.Hartman@waterboards.ca.gov).

### **Single-Walled UST Follow-Up Survey**

On June 10, 2025, the State Water Board distributed follow-up surveys to UPAs with single-walled USTs in their jurisdictions. The data collected from the follow-up surveys is being used to update the status of permanent closures for the remaining single-walled USTs statewide. Additionally, the information will be used to update the [single-walled UST map](#)

(<https://experience.arcgis.com/experience/0167aef5ced240ddb27331f6988dc8b2>) on the State Water Board single-walled UST webpage. An overview of the survey results is provided below:

- 292 facilities with 784 single-walled tanks
  - 39 of these facilities are government owned
- 51 facilities with 130 double-walled tanks and single-walled piping only
  - 10 of these facilities are government owned
- 37 facilities with 50 emergency tank systems
  - 14 of these facilities are government owned
- 49 facilities are within 1,000 ft of a public drinking water well
- 240 (54%) facilities have not submitted a UST closure permit application

For questions regarding single-walled UST surveys, contact:  
Jenna Hartman at (916) 327-8563 or [Jenna.Hartman@waterboards.ca.gov](mailto:Jenna.Hartman@waterboards.ca.gov).

### **Unified Program Performance Evaluations – Single-Walled USTs**

Currently, evaluation staff prioritize single-walled UST systems when selecting facilities for Certified Unified Program Agency (CUPA) performance evaluations. After December 31, 2025, staff will scrutinize whether the UPA has applied appropriate enforcement actions to all single-walled UST owners and operators. Additionally, staff may request copies of closure documentation for single-walled facilities that have completed permanent closure.

Beginning January 1, 2026, it is imperative that UPAs actively apply enforcement to all single-walled UST systems. This includes affixing red tags and pursuing penalties. UPAs

that do not take appropriate enforcement action may receive a deficiency during their CUPA performance evaluation.

For questions regarding CUPA Performance Evaluations and single-walled USTs, contact: Michelle Suh at (916) 323-0878 or [Michelle.Suh@waterboards.ca.gov](mailto:Michelle.Suh@waterboards.ca.gov).

### **South Coast Air Quality Management District – Permitting Advisory**

The South Coast Air Quality Management District (South Coast AQMD) has issued a [permitting advisory](https://www.aqmd.gov/docs/default-source/permitting/advisories/gdfpermittingadvisory_062525.pdf?sfvrsn=497d9c61_3) ([https://www.aqmd.gov/docs/default-source/permitting/advisories/gdfpermittingadvisory\\_062525.pdf?sfvrsn=497d9c61\\_3](https://www.aqmd.gov/docs/default-source/permitting/advisories/gdfpermittingadvisory_062525.pdf?sfvrsn=497d9c61_3)) for owners and operators of gasoline dispensing facilities who need to modify their active South Coast AQMD permits to comply with the December 31, 2025, single-walled permanent closure deadline. The permitting advisory provides guidance on what qualifies as an administrative change to allow for a faster permitting process.

For additional information regarding the South Coast AQMD permitting advisory guidance document, contact South Coast AQMD at (909) 396-3396.

### **Report 6 Due September 1, 2025**

The State Water Board recently distributed the Report 6 forms and instructions to all UPAs for the reporting period of January 1 through June 30, 2025. UPAs must submit the completed Report 6 no later than September 1, 2025.

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 September 1, 2025, 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](mailto:Magnolia.Busse@waterboards.ca.gov).

### **Request to Submit Abstracts: 28th Annual CUPA Conference**

The California Certified Unified Program Agency (CUPA) Forum is requesting abstracts for the 2026 CUPA Conference. Abstracts must be submitted through the [CUPA Forum website](https://www.calcupa.org/conference/index.html) (<https://www.calcupa.org/conference/index.html>) beginning August 1, 2025, through September 19, 2025. Please note that speaker biographies must be submitted and approved prior to submitting an abstract. The State Water Board recognizes that presenting at the conference is a significant commitment for both UPA management and the individual presenter. UPAs that meet their program obligations while also presenting at the CUPA Conference will be recognized for their outstanding achievements.

For additional information regarding abstracts for the 28th Annual CUPA Conference, contact: Jenna Hartman at (916) 327-8563 or [Jenna.Hartman@waterboards.ca.gov](mailto:Jenna.Hartman@waterboards.ca.gov).

## **DTSC**

### **DTSC Trinity CUPA has transitioned all CUPA activities to Trinity County Division of Environmental Health Effective 7/1/25**

DTSC Trinity CUPA (DTSC TCUPA), after 20 years of conducting inspections and working with facilities to achieve and maintain compliance, has successfully transferred these activities to Trinity County Division of Environmental Health (TCDEH). The California Environmental Protection Agency (CalEPA) granted TCDEH authority on July 2, 2024, with an effective date of July 1, 2025, to implement all CUPA program elements. CalEPA further authorized DTSC TCUPA and TCDEH to jointly conduct CUPA activities during a one-year transition period (July 1, 2024-June 30, 2025) under a CalEPA approved transition plan. Both agencies have been working closely together and with CalEPA to ensure a smooth transition.

Thank you to DTSC TCUPA inspector who has taken on this role for more than 10 years! Wishing the new inspectors much success, two of which just attained their ICC certification for underground tank inspections. To contact TCDEH, contact Kristy Anderson, Director, TCDEH, [kanderson@trinitycounty.org](mailto:kanderson@trinitycounty.org)

## **Cal FIRE OSFM**

### **California Fire Code, 2025 Edition**

The 2025 California Building Standards Code (Cal. Code Regs., Title 24) was adopted earlier this year and published on July 1, 2025, with an effective date of January 1, 2026. The California Fire Code is included in Part 9 (Cal. Code Regs., Title 24, Part 9).

To view the California Building Standards Code online for free, visit the California Building Standards Commission website at <https://www.dgs.ca.gov/BSC/Codes>.

### **Battery Energy Storage System (BESS) Fire Safety Symposium**

The BESS symposium will be held on July 24, 2025, at the California Natural Resources Agency in Sacramento. The symposium will be held both in person and virtually. The event is geared toward the California fire service and local officials. There is no cost to attend the symposium.

For more information and to register for the symposium, visit the website at <https://web.cvent.com/event/31f55c8f-abba-44a3-8c17-92ed70553949/summary>.

**References or links to information cited in this newsletter are subject to change. CalEPA is interested in your comments and suggestions regarding the Unified Program monthly newsletter. Please email your comments and suggestions to: [cupa@calepa.ca.gov](mailto:cupa@calepa.ca.gov).**

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