

Unified Program Newsletter – December 2025

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CalEPA

Statewide Administrative Enforcement Order (AEO) Roadshow Brings Energy, Engagement, and Strong Attendance Across All Regions

CalEPA recently completed its statewide AEO Training, which was a collaborative training effort led by John Paine, Unified Program Manager, Steven Gailey, Senior Environmental Scientist, and Brooke Selzer, Senior Attorney. The training would not have been possible without the significant contributions of Unified Program Agency (UPA) representatives and presenters—Linnea Chandler, Dennis Karidis, and Alvin Lal that brought real-world experience and practical insights.

The training was conducted between October and November 2025 in the four regions—Northern, Bay Area, Central, and Southern—and turnout was strong at each location. Attendees were ready to learn, ask questions, and dive deep into Unified Program enforcement and the AEO process. The engagement was lively, the discussions were meaningful, and the energy in every room made it clear: there is real momentum behind strengthening enforcement statewide.

We encourage UPA's to keep that momentum going. If you have questions, need guidance, or want additional support, please contact CalEPA Brooke Selzer at Brooke.Selzer@calepa.ca.gov or any of the other presenters as they are eager to help and continue supporting your enforcement efforts.

A huge thank you to all the presenters for the time and expertise they contributed—and an equally big thank-you to all of the attendees who made each session a success.

Western States Project (Virtual) Inspector Safety Training



January 13-15, 2026

About this Training:

This training is focused on field safety. Participants will learn how to recognize incidents that require de-escalation. They will learn techniques to help deflect and redirect assault in the field through a better understanding of intent, body language, and appropriate responses. The course will discuss situations an inspector could be faced with in the field, help inspectors with threat recognition and teach techniques to deal with these situations and stay safe. An attorney segment will help inspectors gain a better understanding of their respective inspection authority and will also discuss general criminal conduct of which inspectors should be aware (i.e. threats, intimidation, assault/battery, etc.). There will be a block on Sovereign Citizens which will help someone recognize when they could be dealing with a Sovereign. There will also be a discussion of First Amendment Auditors.

Similar to the Western States Project Verbal Judo ® training, this course will include lots of class interaction and discussion. A number of videos will be shown showing "real life" stories inspectors have faced in the field, what happened, what did they learn from it, and what could have been done differently.

Training Time:

8:00 am – 12:30 pm (Hawaii Attendees) on all three days of training

9:00 am – 1:30 pm (Alaska Attendees) on all three days of training

10:00 am – 2:30 pm (Pacific Time) on all three days of training

11:00 am – 3:30 pm (Mountain Time) and for Arizona Attendees on all three days of training

12:00 pm – 4:30 pm (Central Time) on all three days of training

1:00 pm – 5:30 pm (Eastern Time) on all three days of training

Registration Fee: \$300/person

To Register - Go to www.regionalassociations.org and scroll down to the training calendar. Right above the training calendar is a blue box that says: "CLICK HERE for more information, or to register for a Western States Project training"

Click on that blue box and it will take you to our WSP online registration and payment system.

QUESTIONS: E-mail Lynn Cassidy at Cassidy.Lynn@azdeq.gov

State Water Board

Single-Walled UST Closure

Title 23, division 3, chapter 16 (Underground Storage Tank (UST) Regulations), section 2670(f), requires an owner or operator to submit a UST closure proposal at least 30 days prior to closure, or within a shorter timeframe if approved by the Unified Program Agency (UPA). Given the permanent closure deadline for all single-walled USTs is December 31, 2025, owners or operators of single-walled UST systems who have not yet submitted a closure proposal must do so by December 2, 2025. UPAs are encouraged to notify owners and operators immediately to ensure the closure proposal timeframe and permanent closure deadline are met.

Single-walled USTs and non-exempt single-walled piping that are not permanently closed by December 31, 2025, will be out of compliance and cannot be operated. The State Water Resources Control Board (State Water Board) recommends that UPAs cite at least the following violations for facilities that have not met the permanent closure requirement:

- 1) Failure to obtain or retain a valid permit to operate from the UPA (UST Program Violation 2011010); and
- 2) Failure of the UST system to be designed and constructed with an interstitial monitoring device or visual monitoring method (UST Program Violation 2061001).

Additionally, the State Water Board expects UPAs to proceed with enforcement actions, including affixing red tags and pursuing penalties of \$500 to \$5,000 per tank per day of violation (see H&SC 6.7, section 25299(a) and (b)) for all remaining single-walled USTs and non-exempt single-walled piping beginning January 1, 2026. UPAs may also refer enforcement matters to their city attorney, county counsel, or district attorney to pursue the civil penalties described above.

For questions regarding single-walled USTs, or for assistance with enforcement, contact: Jenna Hartman at (916) 327-8563 or Jenna.Hartman@waterboards.ca.gov.

Final Single-Walled UST Survey

On December 1, 2025, the State Water Board distributed the final single-walled UST follow-up survey to UPAs with single-walled USTs in their jurisdiction. The survey requests information on the remaining single-walled UST facilities within each UPA's jurisdiction and the status of the closure process they are in. The State Water Board requests that the survey responses be returned by December 5, 2025. The survey results will be posted on the [single-walled UST webpage](https://www.waterboards.ca.gov/water_issues/programs/ust/single_walled.html) (https://www.waterboards.ca.gov/water_issues/programs/ust/single_walled.html).

For additional information regarding the single-walled UST surveys, contact: Johnny Wales at (804) 852-7274 or Johnny.Wales@Waterboards.ca.gov.

Red Tag Authority Under Proposed Regulations

The UST Regulations, effective January 1, 2026, clarify the State Water Board's role in affixing red tags to non-compliant USTs. The State Water Board has the authority to red tag non-compliant USTs and require the owner or operator to empty them. The State Water Board is required to notify, consult and coordinate with the UPA until the red tag is removed or the UST has been properly closed. Additionally, the State Water Board may request the UPA remove red tags on the State Water Board's behalf.

For additional information on red tag authority under the proposed regulations, contact: Austin Lemire-Baeten at (916) 327-5612 or Austin.Lemire-Baeten@waterboards.ca.gov.

For information on the State Water Board's red tag authority, contact: Jenna Hartman at (916) 327-8563 or Jenna.Hartman@waterboards.ca.gov.

Gasoline Containing 15 Percent Ethanol – Incompatibility Map

The [November UST Program Update](https://www.waterboards.ca.gov/ust/leak_prevention/updates/docs/2025/november-2025-ust.pdf) (https://www.waterboards.ca.gov/ust/leak_prevention/updates/docs/2025/november-2025-ust.pdf) discussed amendments to the Health and Safety Code (H&SC) that now allow the sale of gasoline blends containing up to 15 percent ethanol by volume (E15) in California. As a reminder, owners and operators planning to store E15 must demonstrate compatibility with E15 in accordance with UST Regulations and submit appropriate documentation prior to changing the fuel to E15.

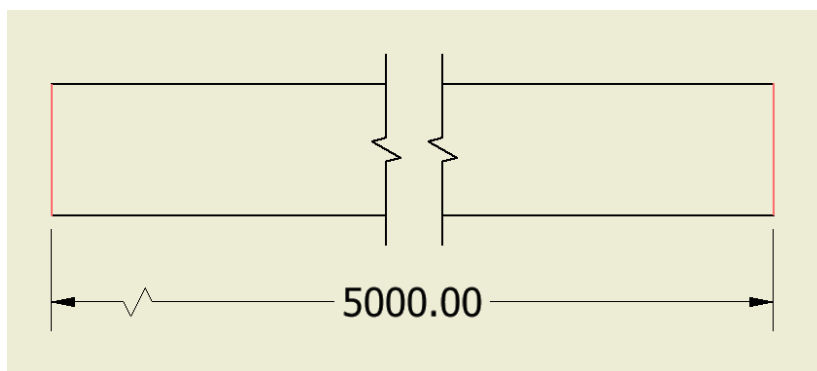
It is estimated that approximately 5,000 USTs in California are incompatible with fuels containing more than 10 percent ethanol (E10). The State Water Board has created a [E15 Incompatible Tank Locations map](https://gispublic.waterboards.ca.gov/portal/apps/mapviewer/index.html?webmap=1e28d0a76e6f46228e38e28e6d5da519) (<https://gispublic.waterboards.ca.gov/portal/apps/mapviewer/index.html?webmap=1e28d0a76e6f46228e38e28e6d5da519>) that identifies where the incompatible UST systems are located throughout California. UPAs should review this map to determine whether any E15 incompatible USTs fall within their jurisdiction.

For questions regarding E15 gasoline or compatibility, please contact: Tom Henderson at (916) 319-9128 or Tom.Henderson@waterboards.ca.gov.

Updates to Monitoring Site Plan Requirements

Beginning January 1, 2026, a facility's monitoring site plan must include a scaled diagram showing the layout of the tanks and piping (including containment sumps), the locations of all release detection equipment, and each vacuum, pressure, or hydrostatically (VPH) monitoring zone, if applicable.

Currently, facilities submit a scaled diagram as part of their permit application. Under the new UST Regulations, an existing scaled diagram can be used as the monitoring site plan if it is updated to include release detection equipment locations and the different VPH zones. If a new monitoring site plan is required, the new UST regulations do not restrict the drafting method, provided the diagram is to scale. For larger facilities, a scale break may be used to display long piping runs, as shown in the graphic below.



For additional information regarding monitoring site plan requirements, please contact: Austin Lemire--Baeten at (916) 327-5612 or Austin.Lemire-Baeten@waterboards.ca.gov.

Clean up Oversight Agencies

The State Water Board has received several questions regarding sampling requirements under the updated UST regulations for UST closures. The new regulations specify that UPAs should contact their Cleanup Oversight Agency (COA) to confirm appropriate sampling procedures. To assist the UPAs in identifying the appropriate COA, a [map](https://gispublic.waterboards.ca.gov/portal/apps/mapviewer/index.html?webmap=69e4afa0e0e94bdf98eceed3f0ad8d69) (<https://gispublic.waterboards.ca.gov/portal/apps/mapviewer/index.html?webmap=69e4afa0e0e94bdf98eceed3f0ad8d69>) has been created that includes the contact information for the Regional Board COAs.

Important note: If your COA is a Local Oversight Program (LOP), it is not currently listed on this map. However, if you are located in one of the following counties, please contact the individual specified below:

Alameda County: Paresh Khatri (Paresh.khatri@acgov.org)

Orange County: Geniece Higgins (Ghiggins@ochca.com)

Sacramento County: David Von Aspern (VonAspernD@saccounty.gov)

San Mateo County: Jacob Madden (jmadden@smcgov.org)

Santa Clara County: Travis Flora (travis.flora@deh.sccgov.org)

For questions regarding COAs or UST Sampling, please contact: Dayna Cordano at (916) 341-5385 or Dayna.Cordano@Waterboards.ca.gov.

Amendment to Health and Safety Code

Assembly Bill (AB) 1459 has amended H&SC 6.7, section 25281 effective January 1, 2026. The amended version of [H&SC 6.7](#) is available here on the State Water Board website (<https://www.waterboards.ca.gov/ust/regulatory/docs/hsc-ch67-2026.pdf>). The amendment modifies the definition of underground storage tank to exclude high-voltage electrical conduit lines that incorporate dielectric fluid for thermal regulation, and excludes the associated thermal regulation.

For additional information regarding AB 1459, contact:
Magnolia Busse at (916) 341-5870 or Magnolia.Busse@waterboards.ca.gov.

DTSC

Now Available to Public: Recorded Training – Hazardous Waste Sampling and Lab Results Interpretation

(This training is now available to the public at no cost on DTSC's YouTube channel.)

DTSC is pleased to share this introductory-level session, designed for both generators and regulators who want a practical foundation in sampling and interpreting lab results.

 **Watch the training here:** <https://www.youtube.com/watch?v=WvJvnXWQHE>

The session covers:

- When and why to conduct waste sampling
- Selecting appropriate sampling methods
- Proper documentation and maintaining chain of custody
- Choosing proper analytical methods
- Interpreting lab data and reviewing Quality Assurance/Quality Control (QA/QC)

If you want to receive CE (Continuing Education) Credit for this course, you can take it through the CalCUPA Learning Management System (LMS) at https://calcupa.org/lms-course/index.html?moodle_course_id=103.

For additional hazardous waste resources and future trainings, please visit the CUPA Training and Assistance Unit webpage: <https://dtsc.ca.gov/cupa-training-and-assistance-unit/>

2025 National Biennial Hazardous Waste Report Cycle Opens January 2026

The 2025 National Biennial Hazardous Waste Report (Biennial Report, or BR) cycle will open on January 2, 2026, and is due March 1, 2026. The BR is completed through U.S. EPA's [RCRAInfo](#) System (<https://rcrainfo.epa.gov/rcrainfoprod/action/secured/login>). Sites are required to file the 2025 BR if in any one month during 2025, they met any of the following conditions:

- Generated more than 2,200 pounds of RCRA non-acute hazardous waste OR
- Generated or accumulated more than 2.2 pounds of RCRA acute hazardous waste OR

- Generated or accumulated greater than 220 pounds of spill cleanup materials contaminated with RCRA acute hazardous waste OR
- Treated, stored, or disposed of RCRA hazardous waste on-site.

The Department of Toxic Substances Control will send courtesy emails to sites whose records show have met the reporting requirements to inform them to file. If you receive any questions regarding the Biennial Report, refer them to the resources below.

Website (includes training video): <https://dtsc.ca.gov/biennial-reports-information/>

Email: brsstaff@dtsc.ca.gov

Toll-free Number: 1-877-454-4012, Monday to Friday from 9 a.m. – 2 p.m. Pacific Time

Rulemaking Update

Addition to the List of Covered Electronic Devices in Chapter 11, Appendix X, Subsection (c) and Chapter 10, Subsection 66260.201(e)

On December 1, 2025, DTSC public noticed a second emergency readoption rulemaking package to maintain the additional covered electronic devices (CED) added by emergency regulations adopted in December 2021 and readopted in December 2023. These CEDs are eligible for the Covered Electronic Waste Recycling Program that encourages the proper management of CED waste by providing reimbursement (derived from fees imposed by CalRecycle) to CED waste recyclers.

On December 9, 2025, after the public notice period ended, DTSC submitted the rulemaking package to the Office of Administrative Law (OAL) for approval. If the package is approved by OAL, the effective period of the emergency regulations will be extended by two years. The current effective period is set to expire on December 19, 2025.

Cal FIRE OSFM

Electronic Reporting Reminders

Each Aboveground Petroleum Storage Act (APSA) tank facility, including a conditionally exempt tank facility, is now required to complete and submit the APSA Facility Information to the California Environmental Reporting System (CERS) in accordance with the California Code of Regulations (CCR), Title 19, Section 1614. The APSA Facility Information must be completed and submitted to CERS within 12 months following December 17, 2024, and **annually** thereafter (CCR, Title 19, Section 1614(a)). The APSA Facility Information must be submitted in conjunction with the tank facility statement or Hazardous Materials Business Plan (HMBP) submittal (CCR Title 19, Section 1614(c)).

The APSA Facility Information is not the same as the tank facility statement. The tank facility statement is a separate annual reporting requirement (Health and Safety Code, Section 25270.6(a)). The tank facility statement is available from the CAL FIRE-OSFM [APSA website](https://osfm.fire.ca.gov/what-we-do/pipeline-safety-and-cupa/certified-unified-program-agency/aboveground-petroleum-storage-act) (https://osfm.fire.ca.gov/what-we-do/pipeline-safety-and-cupa/certified-unified-program-agency/aboveground-petroleum-storage-act) under the resources

section. Complete the tank facility statement and upload it to CERS via the APSA documentation submittal. On the other hand, a complete HMBP submittal satisfies the tank facility statement requirement. To indicate if a complete HMBP has already been submitted, select "Provided Elsewhere in CERS" and "Hazardous Materials Inventory" in the APSA documentation submittal.

More information on CERS submittals for APSA tank facility owners or operators may be found on the following websites:

- Aboveground Petroleum Storage Tank Facility Statement Reporting Requirements
<https://osfm.fire.ca.gov/what-we-do/pipeline-safety-and-cupa/certified-unified-program-agency/aboveground-petroleum-storage-act/aboveground-petroleum-storage-tank-facility-statement-reporting-requirements>
- Preparing an APSA Submittal in CERS
<https://osfm.fire.ca.gov/what-we-do/pipeline-safety-and-cupa/certified-unified-program-agency/aboveground-petroleum-storage-act/preparing-an-aboveground-petroleum-storage-act>
- Should I File an SPCC Plan in CERS
<https://cers.calepa.ca.gov/wp-content/uploads/2017/04/should-i-file-an-spcc-plan-in-cers-.pdf>

SP001 Aboveground Tank System Inspector Training

The next SP001 Aboveground Tank System Inspector Training in California will be held in San Jose from April 20-24, 2026. The early registration deadline for this training is March 9, 2026. For more information, visit the STI/SPFA website at <https://stispfa.org/education/trainings-courses/sp001/>.

Inspection Checklists

Tank Facility Owners and Operators

The inspection requirements of a Spill Prevention, Control, and Countermeasure (SPCC) Plan are designed to detect oil (including petroleum) releases or other potential integrity or structural issues. The following US EPA inspection fact sheet may be helpful for owners or operators of tank facilities: <https://www.epa.gov/oil-spills-prevention-and-preparedness-regulations/spill-prevention-control-and-countermeasure-11>. For more information on tank inspection requirements, refer to chapter 7 of the "SPCC Guidance for Regional Inspectors" on the US EPA website at <https://www.epa.gov/oil-spills-prevention-and-preparedness-regulations/spcc-guidance-regional-inspectors>.

Many APSA tank facilities have shop-fabricated aboveground storage tanks, small field-constructed aboveground storage tanks, and/or portable containers. The SP001 standard may be used to comply with the integrity testing and inspection requirements for such tanks and containers. The Steel Tank Institute – Steel Plate Fabricators Association ([STI/SPFA](https://stispfa.org)) website (<https://stispfa.org/library-resources/standards-regulatory-resources/sp001-standard/>) has links to resources for owners or operators of

aboveground storage tanks and containers that are inspected in accordance with the SP001 standard including the following:

- Aboveground Storage Tank Record
- Annual and Monthly Inspection Checklists
- Portable Container Monthly Inspection Checklists

Additionally, if an owner or operator of a tank facility with an SPCC Plan is interested in learning more about what a regulator looks for during an SPCC Plan compliance inspection, various checklists are available on the web.

On the [US EPA SPCC website](https://www.epa.gov/oil-spills-prevention-and-preparedness-regulations/spcc-guidance-regional-inspectors) (<https://www.epa.gov/oil-spills-prevention-and-preparedness-regulations/spcc-guidance-regional-inspectors>), refer to Appendix G – SPCC Inspection Checklists. Refer to the following checklists:

- Onshore Facilities (excluding production) – for facilities with a professional engineer (PE)-certified SPCC Plan or Tier II qualified facility SPCC Plan
- Tier I Qualified Facility Checklist

If interested in the inspection checklists used by Unified Program Agencies (UPA), the next section contains useful information.

Unified Program Agencies

The APSA Program regulations found in CCR, Title 19, Division 1, Chapter 11 became effective December 17, 2024. As a result, six new APSA violations were added to the Unified Program violation library, and 16 existing violations were revised. During CUPA performance evaluations, the CAL FIRE-OSFM evaluator will review the inspection checklists used by UPA inspectors to determine if the inspection checklists are current, the appropriate checklist is used, and the violation cited is appropriate for the tank facility being inspected.

During UPA routine inspections, ensure the checklist being used is appropriate. For example, if a Tier I qualified facility prepared a Tier I Qualified Facility SPCC Plan, then the UPA inspector should use the Tier I qualified facility checklist. If another qualified facility prepared a PE certified SPCC Plan, then the PE plan checklist should be used. On the other hand, if a tank facility does not meet the qualified facility criteria and prepared a self-certified plan, then a PE plan facility checklist should be used.

The California CUPA Forum Board provides checklists on their website at <https://calcupa.org/inspection-checklist/index.html> for UPA inspectors to use. The APSA inspection checklist is a comprehensive list of APSA violations, including the new requirements. The violations may be filtered based on the plan type or status. The Unified Program [violation library](https://cersbusiness.calepa.ca.gov/Public/Violations) (<https://cersbusiness.calepa.ca.gov/Public/Violations>) or CUPA Forum Board checklists can be used to verify whether the UPA's inspection checklists are current.

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.

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