

Unified Program Newsletter – March 2026

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State Water Board

Replacing Mechanical Release Detection Equipment

State Water Resources Control Board (State Water Board) staff have received several questions about which continuous electronic release detection equipment may be used to replace failed mechanical release detection equipment. Generally, there are two methods approved for electronic monitoring of sumps per [Local Guidance 113](https://www.waterboards.ca.gov/ust/leak_prevention/lgl113/) (https://www.waterboards.ca.gov/ust/leak_prevention/lgl113/). One option is to monitor sumps using sensors connected to the monitoring panel. This method is advantageous since the alarm occurs at the monitoring panel, and the panel may be programmed to shut down the turbine when an underground storage tank (UST) facility utilizes the fail-safe/positive shut-off option for pipe monitoring. This method requires a low voltage conduit between the under-dispenser containment (UDC) and monitoring panel, which often is not installed for UDCs utilizing mechanical release detection. The second option is stand-alone sensors. These are wired directly to the power supply of the dispenser. If a release is detected in the UDC, the stand-alone sensor cuts power to the dispenser but does not generate an alarm at the monitoring panel or shut off power to the turbine. This is the less preferable option, but meets the requirements of California Code of Regulations, title 23 (Title 23), section 2652(a)(1)(B).

Mechanical release detection equipment that fails for any reason must be replaced with an electronic release detection method. The State Water Board is aware of multiple instances where Unified Program Agency (UPA) inspectors have observed mechanical device failures but have not required the UST owner or operator to replace the device. Any failure, including adjustment of the connecting chain or failure of the shear valve to properly shut off flow, must be cited by the UPA and corrected by replacement with electronic release detection by the UST owner or operator.

For additional information regarding mechanical release detection equipment, please contact Austin Lemire-Baeten at (916) 327-5612 or Austin.Lemire-Baeten@waterboards.ca.gov.

Release Detection Reporting – Mechanical Release Detection

As part of the Certified Unified Program Agency (CUPA) evaluation, staff verify that UST testing documents submitted to the UPAs are accurate and complete. A common issue identified is the absence of UDC mechanical release detection test results in Section 6 (Sensor Test Results) of the Release Detection Equipment Testing Report Form. The results of the mechanical release detection device, commonly referred to as the float and chain, must be documented in Section 6. UPAs should not accept testing documents that are incomplete or inaccurate.

As noted above, mechanical release detection equipment cannot be repaired. If mechanical release detection equipment fails to function at any time, it must be replaced with continuous electronic release detection equipment. Evaluation staff will verify whether UPAs are enforcing this requirement during upcoming evaluations.

For more information regarding test results, please contact Michelle Suh at (916) 323-0878 or Michelle.Suh@waterboards.ca.gov.

ICC Renewal Application

As a reminder, the renewal process for the California UST Inspector (UI) certification is now online. Beginning March 2026, ICC (International Code Council) will no longer accept paper applications or checks. Any paper applications and checks received will be returned to the applicant, who will be notified of the online renewal process. For additional guidance, please refer to the [How do I renew my California UST Inspector \(UI\) Certification?](https://support.iccsafe.org/ht_kb/renewal/how-do-i-renew-my-california-ust-inspector-ui-certification/) - ICC Support Portal (https://support.iccsafe.org/ht_kb/renewal/how-do-i-renew-my-california-ust-inspector-ui-certification/) webpage.

For additional information regarding ICC, contact customersuccess@iccsafe.org.

Collection of Personal Information – UST Forms

Civil Code section 1798.17 requires a Privacy Notice on Collection be provided when personal information, such as names, phone numbers, and addresses, is collected on State forms. The 2026 edition of the [UST Reporting and Inspection forms](https://www.waterboards.ca.gov/ust/publications/forms.html) (<https://www.waterboards.ca.gov/ust/publications/forms.html>) has been updated to include this Privacy Notice on Collection as the final page of each applicable document to comply with this requirement. While the State Water Board must include

the Notice with the new forms, the Notice itself is not subject to the submittal and recordkeeping requirements in Title 23, section 2613.

For additional information regarding Privacy Notice on Collection, contact Austin Lemire-Baeten at (916) 327-5612 or Austin.Lemire-Baeten@waterboards.ca.gov.

DTSC

There Ought to Be a Law – Help Shape the Conference Discussion

We are gearing up for the "There Ought to Be a Law" session at the 2026 CUPA Annual Training Conference on Thursday, March 26 from 1-3 pm, and we want to make sure the conversation is as productive as possible.

Based on the survey responses so far, common themes include vapes, batteries, and the management of ignitable or reactive wastes (such as flares, fireworks, and other energetic materials). This new survey asks CUPAs to rank specific issues in those areas based on your primary concerns. Your input will help us organize the breakout discussions during the session. Please take a moment to complete a short follow-up prioritization survey to help focus the discussion. We look forward to seeing you at the session!

Complete the **There Ought to be a Law: Follow-up Prioritization Survey**:
<https://forms.office.com/g/1178zCTs9M>

There Ought to be a Law: Follow-up Prioritization Survey



New Resource Available: DTSC Posts CUPA Corrective Action Quick Reference Guide

DTSC has published a new [CUPA Corrective Action Quick Reference Guide](https://dtsc.ca.gov/certified-unified-program-agencies-cupa/) (<https://dtsc.ca.gov/certified-unified-program-agencies-cupa/>) on its website to support Certified Unified Program Agencies (CUPAs) in understanding and navigating the **corrective action qualification process**. This resource is designed to help agencies determine whether they should pursue corrective action authority and how to successfully apply, implement, and maintain that authority once approved.

The guide serves as a practical orientation tool rather than a full regulatory summary. It clarifies the purpose of DTSC's corrective action qualification program, the situations in which CUPAs may choose to seek authorization, and the responsibilities that come with conducting corrective action activities in their jurisdictions. Because corrective action authority involves oversight, enforcement, and ongoing case management, the guide helps CUPAs assess readiness before beginning the application process.

Users will also find the guide helpful when preparing application materials or onboarding new staff. It highlights the steps needed to submit an application, the types of information DTSC reviews, and what to expect during post-approval program operation. For CUPAs already engaged in corrective action oversight, the guide outlines ongoing obligations such as GeoTracker updates, communication with DTSC, and annual coordination meetings.

Overall, the Quick Reference Guide is intended to make the corrective action qualification process more accessible, streamlined, and user-friendly. CUPAs can rely on it as a starting point for program planning, staff training, and coordination with DTSC.

For more information, contact Christie.Bautista1@dtsc.ca.gov or Wyatt.George@dtsc.ca.gov.

DTSC's 2026 Electronic Verification Questionnaire Deadline Approaching

DTSC has opened web access for the 2026 electronic Verification Questionnaire (eVQ) reporting cycle as of January 30, 2026. Handlers must complete the eVQ by March 31, 2026. Failure to meet this deadline is a violation and handlers will incur late reporting penalties starting April 1, 2026. ID numbers will also be inactivated on April 1, 2026. A handler shall be assessed a separate violation for each hazardous waste ID number that does not comply with this requirement (Cal. Code Regs., tit. 22, Section 66269.32).

If you receive any questions from your stakeholders regarding the questionnaire, please refer them to the information below.

Website: <https://evq.dtsc.ca.gov>

Training Video: <https://dtsc.ca.gov/evq-training-video/>

Email: eVQ@dtsc.ca.gov

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

2025 National Biennial Hazardous Waste Report Cycle

The 2025 National Biennial Hazardous Waste Report (Biennial Report, or BR) cycle opened on January 2, 2026, and was due March 1, 2026. DTSC is still accepting late submissions. The BR is completed through U.S. EPA's [RCRAInfo](https://rcrainfo.epa.gov/rcrainfoprod/action/secured/login) 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 has sent 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: <https://dtsc.ca.gov/biennial-reports-information/>

Training Video: <https://dtsc.ca.gov/biennial-report-training-video/>

Quick Guide: <https://dtsc.ca.gov/wp-content/uploads/sites/31/2025/12/2025-Biennial-Report-Quick-Guide.pdf>

Email: brsstaff@dtsc.ca.gov

Toll-free Number: 1-800-618-6942, Monday to Friday from 9 a.m. – 2 p.m. Pacific Time

Rulemaking Update: Conditional Exemption for Undeployed Airbags

The airbag regulations were approved by the Office of Administrative Law and are now effective as of March 6, 2026. These regulations provide airbag waste handlers with an exemption that will relieve some of the regulatory burdens related to the storage and transport of airbag waste so long as certain conditions are met. The final regulation documents will be available on DTSC's website soon.

Cal FIRE OSFM

Common Aboveground Petroleum Storage Act (APSA) Violations

Based on the inspection and violation information reported to the California Environmental Reporting System (CERS) by Unified Program Agencies (UPA), the following are the top 10 violations commonly cited at APSA tank facilities in Fiscal Year 2024-2025:

- Written records of inspections and tests
- 5-year Spill Prevention, Control, and Countermeasure (SPCC) Plan review and documentation

- Annual spill prevention briefings
- Prepare an SPCC Plan
- Employee training requirements
- Tanks inspected and/or integrity tested
- Annual tank facility statement submittal (or HMBP in lieu of tank facility statement)
- SPCC Plan implementation
- Oil type and storage capacity of containers/tanks addressed in the SPCC Plan
- SPCC Plan available onsite if the facility is normally attended at least four hours per day, or at the nearest field office if the facility is not so attended

If your APSA tank facility is due for a compliance inspection, check to make sure your tank facility is implementing the SPCC Plan.

If your facility has added aboveground storage tanks or containers with petroleum, check your total aboveground petroleum storage capacity and determine if your facility is now regulated under APSA. To assist you in determining if your facility is subject to APSA, visit the OSFM website at <https://osfm.fire.ca.gov/what-we-do/pipeline-safety-and-cupa/certified-unified-program-agency/aboveground-petroleum-storage-act/is-my-facility-regulated-under-the-aboveground-petroleum-storage-act>.

Completing the Aboveground Petroleum Storage Act (APSA) Facility Information Submittal

The APSA Facility Information submittal in the California Environmental Reporting System (CERS) contains four data fields. Some tips are provided below, and the step-by-step instructions on how to complete this submittal are available at <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>.

Conditionally Exempt

An owner or operator should check the box next to 'Conditionally Exempt' to indicate their tank facility is exempt from the requirement to prepare a Spill Prevention, Control, and Countermeasure (SPCC) Plan under Health and Safety Code (HSC) Section 25270.4.5(b). A conditionally exempt tank facility is located **on and operated by** a farm, nursery, logging site, or construction site that has no single aboveground storage tank (AST) with a shell capacity greater than 20,000 gallons storing petroleum **and** the total petroleum storage capacity in all ASTs does not exceed 100,000 gallons. Additional information on conditionally exempt tank facilities is available under Step 2 on the website at <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>.

Many farms are not regulated under APSA or Federal SPCC rule due to the Federal Water Resources Reform and Development Act (WRRDA) thresholds: 2,500 gallons of oil (with reportable discharge history) or 6,000 gallons of oil (without reportable discharge history). Owners and operators of farms that do not meet the WRRDA thresholds should

mark **NO** to the Aboveground Petroleum Storage question in the Business Activities in CERS. Such farms are not regulated under APSA and, thus, they would not need to complete any APSA submittal in CERS, etc. Additional information on farms is available at <https://osfm.fire.ca.gov/what-we-do/pipeline-safety-and-cupa/certified-unified-program-agency/aboveground-petroleum-storage-act/farms>. The farms flowchart is available at <https://osfm.fire.ca.gov/what-we-do/pipeline-safety-and-cupa/certified-unified-program-agency/aboveground-petroleum-storage-act/is-my-farm-regulated-under-aboveground-petroleum-storage-act-apsa>.

A tank facility that has checked the conditionally exempt checkbox is not required to complete the other data fields on the APSA Facility Information submittal. However, a tank facility that is not conditionally exempt from preparing an SPCC Plan under APSA is required to complete the other data fields described below.

Total Aboveground Storage Capacity of Petroleum

This field represents the tank facility's total capacity of all petroleum ASTs or containers that are 55 gallons or larger as defined in HSC Section 25270.2 and are not excluded under APSA. A tank facility's SPCC Plan and Hazardous Materials Business Plan (HMBP) contain information to complete this field.

Additional information on calculating the total aboveground petroleum storage capacity, along with examples, is available at <https://osfm.fire.ca.gov/what-we-do/pipeline-safety-and-cupa/certified-unified-program-agency/aboveground-petroleum-storage-act/is-my-facility-regulated-under-the-aboveground-petroleum-storage-act>.

Information on petroleum, including examples of petroleum products that are regulated or not regulated under APSA, is available at <https://osfm.fire.ca.gov/what-we-do/pipeline-safety-and-cupa/certified-unified-program-agency/aboveground-petroleum-storage-act/petroleum>.

If the total aboveground petroleum storage capacity of a tank facility is less than 1,320 gallons, **and** the facility has a tank in an underground area (TIUGA) with a capacity of 55 gallons or more, only the TIUGA is subject to APSA. In this case, only the TIUGA capacity is counted toward the Total Aboveground Storage Capacity of Petroleum. However, there are exceptions as described in HSC Section 25270.3(c)(3)(A)-(C). If a tank facility has less than 1,320 gallons of petroleum, the following TIUGAs are excluded from regulation under APSA and should not be included in the Total Aboveground Storage Capacity of Petroleum:

- A tank that holds hydraulic fluid for elevators, lifts, or similar devices
- A heating oil tank
- A sump, separator, clarifier, catch basin, or storm drain

Number of Tanks in Underground Areas

This field is the total number of TIUGAs at a tank facility. These are stationary (permanent or fixed) storage tanks with a shell capacity of 55 gallons or more of petroleum that are located on or above the surface of the floor in a structure at least 10 percent below the

ground surface, such as a basement, cellar, shaft, pit or vault (HSC Section 25270.2(o)). An underground storage tank is not a TIUGA. If a tank facility has less than 1,320 gallons of petroleum, an owner or operator should not include the three TIUGAs excluded from APSA (as discussed in the previous data field above). If a tank facility does not have any TIUGA, then '0' (zero) should be entered. For additional information and examples on TIUGAs, visit the website at <https://osfm.fire.ca.gov/what-we-do/pipeline-safety-and-cupa/certified-unified-program-agency/aboveground-petroleum-storage-act/tank-in-an-underground-area-tiuga>.

[**Note:** In the February newsletter of this article, '20 percent below the ground surface' was erroneously referenced. The '10 percent below the ground surface' is correct consistent with the APSA statute.]

Date of SPCC Plan Certification or Date of 5-Year Review

This field is the SPCC Plan certification date or the last 5-year review date of the SPCC Plan, whichever is more recent. This field may be left blank if an SPCC Plan has not yet been prepared. Excluding conditionally exempt tank facilities, an SPCC Plan must be prepared and implemented before any new tank facility operations begin.

REMINDER: The APSA Facility Information must be completed and submitted to CERS **annually in conjunction** with the tank facility statement or HMBP submittal (California Code of Regulations (CCR), Title 19, Section 1614). The APSA Facility Information **is not the same as** the tank facility statement.

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. For more information, visit the Steel Tank Institute/Steel Plate Fabricators Association (STI/SPFA) website at <https://stispfa.org/education/trainings-courses/sp001/>.

A free webinar on the "Fundamentals of Construction of API Industrial Tanks" will be provided on April 9, 2026. Register for this webinar on the STI/SPFA website at <https://stispfa.org/event/fundamentals-of-construction-of-api-industrial-tanks/>.

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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