

**State Water Resources Control Board**  
**-Evaluation of Underground and Aboveground Storage Tank Programs -**

**Agency name:** \_\_\_\_\_

**Agency Representative:** \_\_\_\_\_

**Agency Phone:** \_\_\_\_\_

**Evaluation Date:** \_\_\_\_\_

**Evaluator's Name:** \_\_\_\_\_

**Evaluator's Phone:** \_\_\_\_\_

NOTE: THESE FINDINGS ARE PRELIMINARY. ADDITIONAL DEFICIENCIES MAY BE IDENTIFIED IN THE DRAFT EVALUATION REPORT

ITEMS TO NOTE IN READING THIS CHECKLIST:

*ITALICS* THESE QUESTIONS ARE NOT TIED DIRECTLY TO A PERFORMANCE STANDARD AND ARE INTENDED TO BE USED TO GATHER INFORMATION REGARDING THE PROGRAM BEING EVALUATED AND TO PROVIDE FOR FEEDBACK FOR CHANGES TO THE UNIFIED PROGRAM

TEXT TEXT APPEARING IN THIS FONT IS DESIGNED TO ACT AS A REMINDER OF RULES, REGULATORY REQUIREMENTS, QUESTIONS OR OTHER FORMS OF GUIDANCE TO THE REVIEWER AND ARE NOT NECESSARILY TIED TO AN ESTABLISHED PERFORMANCE STANDARD

<u>Compendium Line Citation</u>	<b>Standards</b>	<b>Deficiency (Y/N)</b>
<b>Permitting Standards</b>		
Goal: To ensure that the CUPA has a permit program that complies with permit process and permit condition requirements.		
<u>Line 5000</u> HSC 25286(a) T23 2711(a)	The CUPA shall use a standardized UST application form.  1. Review a copy of the CUPA's UST application form to ensure that it meets T27 non-duplication requirements.  2. Ask the CUPA to describe its current application process. Compare this to the process described in the Consolidated Permit Program Plan to verify that it is the same and also to determine if the process is described in sufficient detail in the plan.	

<b><u>Compendium Line Citation</u></b>	<b>Standards</b>	<b>Deficiency (Y/N)</b>
<u>Line 5001</u> HSC 25284(b)	If permits are transferred from an existing permittee to an applicant, the CUPA shall provide a transfer permit form.  1. Does the CUPA transfer permits?  2. If so, ask for a permit transfer form.	
<u>Line 5002</u> HSC 25284(a)(1)	The CUPA shall issue a Unified Program Facility Permit (UPFP) to the owner/operator  1. Review a recently issued UPFP.	
<u>Line 5003</u> T23 2632(b)	Both the UST and Consolidated Permits shall include UST-specific elements  1. Review a recently issued permit for inclusion of permit elements given in Lines 5004 – 5008.	
<u>Line 5004</u> T23 2632(d)(1) and (2)	Monitoring, response, and plots plans  1. Obtain and review monitoring, response, and plot plans. Ensure that each has the required information as outlined in statues and regulations.  2. Verify that the permit includes a statement such as the following: “The approved monitoring, response, and plot plans shall be maintained on site with the permit.”	
<u>Line 5005</u> T23 2712(c)	Permit expiration date	
<u>Line 5006</u> T23 2712(c)	State UST ID Numbers  1. Review permit to see if it shows the State UST ID #s for each UST located at the facility. These are data field numbers 1 and 432 on the Consolidated Forms.	
<u>Line 5007</u> T23 2712(h)	Condition statement to Chapter 6.7 and 6.75 and their regulations  1. A statement such as the following may be used: “The owner and operator are subject to all applicable requirements of Chapter 6.7 and Chapter 6.75 of the Health and Safety Code and Title 23, Division 3, Chapters 16 and 18.”	

<b><u>Compendium Line Citation</u></b>	<b>Standards</b>	<b>Deficiency (Y/N)</b>
<u>Line 5008</u> T23 2712(I)	Statement that the permit is to be maintained on site	
<u>Line 5009</u> T23 2641(g)	<p>Monitoring, response, and plot plans shall be approved by the local agency.</p> <ol style="list-style-type: none"> <li>1. Ask the CUPA to explain its monitoring program approval process.</li> <li>2. Does this approval process include verifying compliance with regulatory requirements?</li> <li>3. Does the process cover how the CUPA will ensure that these plans are submitted, approved, on site at the facility, and maintained up-to-date?</li> <li>4. Is this process included in the Consolidated Permit Program Plan?</li> </ol>	
<u>Line 5010</u> T23 2660(k)	<p>CUPA approval of repairs and/or upgrades after verification of structural integrity</p> <ol style="list-style-type: none"> <li>1. Does the CUPA approve UST system repairs and upgrades including recertification of interior lining?</li> <li>2. If so, has it overseen upgrading or repairing of a tank by addition of interior lining or by installation of a bladder system?</li> <li>3. If so, use Table 2 to perform a facility file review to assess the CUPA oversight of upgrading and repairing of tanks.</li> </ol>	
<u>Line 5011</u> HSC 25285(b) T23 2712(e)	<p>The CUPA shall not issue or renew a permit if an inspection shows non-compliance.</p> <ol style="list-style-type: none"> <li>1. Does the permit issuance process include a mechanism to withhold issuance of the permit based on non-compliance?</li> <li>2. If so, is the process explained in the Consolidated Permit Program Plan?</li> <li>3. Review inspection reports and follow up actions against issuance of permits. Verify that permits are being withheld if non-compliance exists.</li> </ol>	

<u>Compendium Line Citation</u>	<b>Standards</b>	<b>Deficiency (Y/N)</b>
<p><b>Inspection Standards</b>            Goal: To ensure that the CUPA has an inspection program that complies with inspection frequency, thoroughness, and follow-up requirements.</p>		
<p><u>Line 5017</u>            HSC 25288            T23 2712(e)            T23 2712(c)</p>	<p>The CUPA shall conduct inspections at the required frequency (at least once every three years prior to 1/1/00 and at least once every year thereafter)</p> <p>The purpose of the inspection is to verify compliance with UST requirements. Therefore, the level of detail applied to an inspection must be appropriate to do so.</p> <ol style="list-style-type: none"> <li>1. How does the CUPA ensure that inspections are conducted per the required frequency? Review inspection reports and data management systems to verify inspections were conducted per the required frequency. Also determine if the CUPA has a mechanism to ensure that each facility will be inspected within the required timeframe.</li> <li>2. What level of inspection do inspectors conduct?</li> <li>3. How does the CUPA ensure all inspectors on each inspection maintain consistency? To assess the quality of the CUPA inspection program, review the CUPA's inspection checklist(s), inspection guidelines, inspection tracking system (data management), and three facility file inspection reports.</li> </ol>	
<p><u>Line 5018</u>            HSC 25185(c)(2)(A)            HSC 25188( b)</p>	<p>The CUPA shall prepare an inspection report</p> <ol style="list-style-type: none"> <li>1. What does the CUPA use to record inspection results?</li> <li>2. Does the document allow for inclusion of observations, identified violations, required actions, and due date(s) for return to compliance?</li> <li>3. If so, do inspectors consistently capture this information?</li> <li>4. Review blank inspection checklist and report forms for degree of thoroughness and that they capture the above elements. Review inspection reports in three facility files for the same information.</li> </ol>	

<b><u>Compendium Line Citation</u></b>	<b>Standards</b>	<b>Deficiency</b>
<p><u>Line 5019</u> HSC 25288(b)</p>	<p>The CUPA may require use of a special inspector</p> <ol style="list-style-type: none"> <li>1. How many times has the CUPA required a special inspector to perform routine compliance inspections?</li> <li>2. If the answer is one or more, was a list of special inspectors provided to the owner/operator?</li> <li>3. Does the CUPA anticipate that it will require the owner/operator to use one?</li> <li>4. Review a special inspector report to determine if an appropriate level of detail was applied to the inspection and if there was appropriate oversight by the CUPA.</li> </ol>	
<p><u>Line 5021</u> T23 2712(e)</p>	<p>The CUPA shall perform follow-up inspections to verify correction of violations</p> <ol style="list-style-type: none"> <li>1. What method does the CUPA use to ensure that the plan of correction is submitted within the required timeframe and that it is carried out?</li> <li>2. Ask for documentation showing the CUPA verified compliance or took follow-up enforcement action within a reasonable time frame?</li> <li>3. Review three facility files to assess whether the CUPA documented how and by when violations were corrected. If appropriate review the data management system for it.</li> <li>4. Review written inspection and/or enforcement procedures to verify that the method is adequately described.</li> </ol>	
<p><u>Line 5022</u> T23 2635(d)(5)</p>	<p>Installation inspections</p> <ol style="list-style-type: none"> <li>1. Does the CUPA conduct installation inspections?</li> <li>2. If so, does it have written procedures and a checklist?</li> <li>3. Verify that the CUPA maintains written installation guidelines and appropriate inspection tools such as an installation checklist(s).</li> </ol>	

<b>Compendium Line Citation</b>	<b>Standards</b>	<b>Deficiency (Y/N)</b>
<b>Enforcement Standards</b> Goal: To ensure that the CUPA has a prescribed, effective, and consistent enforcement program.		
<u>Line 5012</u> HSC 25285.1(b)	Revocation of the permit <ol style="list-style-type: none"> <li>1. Under what conditions are permits revoked?</li> <li>2. How many times has the agency revoked a permit?</li> <li>3. Has the agency revoked a permit for any cause provided in Section 25285.1 (at least if o/o not in compliance with financial responsibility requirements)</li> <li>4. Is this explained in the enforcement procedures?</li> <li>5. Review a facility file at which a permit has been revoked.</li> <li>6. Review the enforcement procedures for an appropriate level of detail. The procedures should explain the criteria under which a permit will be revoked and the CUPA's process for doing so.</li> </ol>	
<u>Line 5020</u> HSC 25288(d)	Owner/operator plan of correction <ol style="list-style-type: none"> <li>1. How much time does the CUPA gives the owner/operator to correct violations?</li> <li>2. Is it included on inspection reports? Review inspection reports in three facility files to verify that timeframe for correction is included on the reports.</li> <li>3. Is it contingent upon the severity of the violation?</li> <li>4. Is this explained in the written enforcement procedures?</li> <li>5. Verify that inspection and/or enforcement procedures adequately capture the CUPA procedures. This is especially important where timeframes for correction is less than 60 days.</li> </ol>	
<u>Line 5023</u> T23 2712(g)	The CUPA shall take appropriate enforcement actions <ol style="list-style-type: none"> <li>1. Does the CUPA have written enforcement procedures?</li> <li>2. Does the CUPA have documentation showing enforcement taken in accordance with its written enforcement procedures?</li> <li>3. Review enforcement procedures for appropriate level of detail. Review enforcement actions taken as provided by facility file or other documentation.</li> </ol>	

<b><u>Compendium Line Citation</u></b>	<b>Standards</b>	<b>Deficiency</b>
<b>Reporting Standards</b> Goal: To ensure that the CUPA complies with UAR and Quarterly Reporting requirements.		
<u>Line 5025</u> T23 2713(a)	The CUPA shall transmit UARs to the RWQCB  1. How does the CUPA ensure that UARs are transmitted to the RWQCB?	
<u>Line 5026</u> T23 2713(b)	For sites where it oversees cleanup, the CUPA shall transmit UAR release update report information to the RWQCB  1. What type of cleanup does the CUPA oversee?  2. How does the CUPA ensure that release update report information is transmitted to the RWQCB?	
<u>Line 5027</u> T23 2713(c)	The CUPA shall submit UST Quarterly Reports to the SWRCB  1. Verify by review of SWRCB Quarterly Report files that the SWRCB has received all Quarterly Reports since certification.  2. If one or more reports are missing, request the CUPA to provide copies of the missing report(s).	

# Table 1A

## Evaluation of CA-only, AST Program, and Related Title 27 Standards

General purpose/summarization of why these standards exist: To ensure that CA-only, AST Program, and Related Title 27 Standard requirements are evaluated.

Compendium Number	What Is Required (from Standard)	Recommended Questions	Document(s) to Review	Deficiency Observed, Program/Standard Under Which to Enter a Deficiency In Evaluation Report
<b>CA-only issues (for numbering, see CA compendium)</b>				
5027	Transmittal of surcharge fees within 45 days of collection	1) On what basis does the CUPA collect surcharge fees? 2) Once collected, what is done with the fees?	Records showing dates of collection and transmittal	UST/Reporting
???	Ordinance review	How does the CUPA ensure that the local UST ordinance remains in harmony (not in conflict) with UST statute and regulations?	Copy of ordinance	UST/State Agency Notes
<b>AST Requirements</b>				
6000	SPCC inspection	1) How do CUPA inspectors determine if an SPCC plan is required? 2) When a plan is lacking, what kind of information is provided to the o/o? 3) How are the inspections and inspection results tracked for incorporation into Reports 3 and 4?	Written procedures; SWRCB or equivalent AST form	AST/Inspection
<b>Related Title 27 issues</b>				
1219	Submittal of inspection and enforcement actions	1) Does the information shown on these reports make sense? 2) For example, does the number of informal actions closely match the number of inspections conducted? 3) Does the number of inspections seem to indicate that inspections are being conducted at the required frequency?	UP Reports 3 and 4	UP/Administration
	Written procedures		Written procedures	UP/Administration

## Table 2

### File Review To Assess Adequate Oversight of Upgrading or Repairing of Tanks

Review a file of a facility at which one of the three scenarios took place.  
A "no" answer may indicate a deficiency. Briefly describe any observed.

<b>Does the file contain the following documents or information or can the CUPA provide other evidence used to verify compliance?</b>	<b>Upgrade by Lining/CP</b>	<b>Upgrade by Bladder/CP</b>	<b>Repair of Tank by Lining/CP</b>
1. A report showing the tank has been certified for structural soundness by a special inspector. [§2663]			
2. Contractor information showing qualification for the special inspector, coatings expert, and lining contractor. [§2663 et. seq.]			
3. The lining contractor shall be licensed by the CSLB and have the hazardous materials substance certification. [LG 48-6]			
4. Third-party certification of lining material and process. [§2663(e)]			
5. Testing and inspection results of the applied lining (visually checking, testing for thickness and hardness of the lining, electrical resistance holiday detector results for steel tanks, vacuum test). [§2663(h)]			
6. Certification from the special inspector or coatings expert that the tank is suitable for continued use [§2663(h)]			
7. Written certification of the inspection submitted to the local CUPA within 30 calendar days of completion of the inspection. [§2663]			
8. Results of the post-upgrade/repair tank and/or piping integrity test show a passing test. [§2663]			
<b>Question 9 pertains to a tank repaired by lining</b>			
9. Installation records of a vapor or ground water monitoring system. [§2661(g)]			
<b>Questions 10 and 11 pertain to a tank upgraded by installation of a bladder system</b>			
10. Evidence that the materials used in the bladder system and in the installation process is approved by an independent testing organization. [§2664(b)]			
11. Certification that sufficient measures have been taken to minimize or eliminate the potential for the underground storage tank or interstitial monitoring system components to puncture the bladder. [§2664(b)(6)]			

# Table 3

## File Review To Assess Document Maintenance and Organization

Document To Locate	For each file, if the document exists, indicate by checkmark (4):		
	<u>File 1</u> Routine Inspection	<u>File 2</u> LUSTIS	<u>File 3</u> Upgrade / Repair
1. Current Permit (Operating or Consolidated)			
2. Monitoring plan			
3. Response plan			
4. Plot plan (showing location of monitoring)			
5. Owner/operator agreement (if the owner is not the operator)			
6. Inspection report within last three years			
7. As of December 31, 2000, and thereafter, annual inspection report			
8. Documentation showing follow up actions have been taken by the CUPA/CA to verify correction of identified violations or to take enforcement			
9. Documentation of enforcement action(s)			
10. Correspondence			
11. Construction plans (original, as-builts, modification, upgrade)			
12. Upgrade certification documents			
13. Tank and piping integrity test reports as required by regulations			
14. Annual SIR summary statements			
15. Annual maintenance inspection report within the last year			
16. Annual maintenance inspection report for the last three years			

Low                      High  
 Degree of Organization: 1    2    3    4    5  
 Degree of Maintenance: 1    2    3    4    5

**Comments:** \_\_\_\_\_  
**Recommendation:** Develop checklist \_\_\_ Update documents \_\_\_ Complete file \_\_\_

Evaluation Tables 1, 1A, 2, and 3.doc