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## Unified Program Newsletter – February 2018

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## California Environmental Protection Agency (CalEPA)

### CERS FAQs

The following Frequently Asked Questions (FAQs) documents providing reporting guidance for periodic and remote hazardous waste generators are available on the California Environmental Reporting System (CERS) Resources page at:

- Questions related to sites that use a Temporary EPA ID or that rarely, but routinely, generate hazardous waste.  
<https://cers.calepa.ca.gov/wp-content/uploads/sites/61/2018/01/Hazwaste-Periodic-Waste-Generation.pdf>
- Are remote hazardous waste sites that comply with applicable rules required to answer "Yes" to the Business Activities Question: "Does your facility generate hazardous waste"  
<https://cers.calepa.ca.gov/wp-content/uploads/sites/61/2018/01/Hazwaste-Remote-Waste-Generation.pdf>

- Should a CUPA mark “Yes” on the CERS Regulator Portal Facility Summary Page under the title “Remote Site” for hazardous waste remote sites where waste is produced

<https://cers.calepa.ca.gov/wp-content/uploads/sites/61/2018/01/Hazwaste-Remote-Generation.pdf>

## **State Water Resources Control Board (State Water Board)**

### **UST Lining and Repair – Notification Request**

The State Water Board has seen a dramatic increase in the number of UST entries for primary repairs and linings. To better understand the root cause of the increase in repairs and lining, the State Water Board has made multiple requests that tank lining companies notify the State Water Board prior to performing UST linings. The response to these requests has been underwhelming.

The State Water Board is requesting UPAs to notify the State Water Board prior to expected UST entries. The request for notification allows the State Water Board to follow the process and collect relevant information to assist in proper updates to the regulations. The State Water Board has revised the previously issued Tank Lining Notification and request the *Underground Storage Tank Entry Notification* form be used for all UST entries, including lining, periodic inspections and repairs. The revised document can be found here:

[https://www.waterboards.ca.gov/ust/adm\\_notices/cupa\\_ust\\_entry\\_notification.pdf](https://www.waterboards.ca.gov/ust/adm_notices/cupa_ust_entry_notification.pdf)

The State Water Board is also finding that UST owners or operators are not adequately demonstrating the structural integrity of the USTs prior to lining or repairing. Some of the problems observed by the State Water Board are:

- Lining installed without structural integrity testing performed by a California State Licensed Engineer.
- UPAs not being presented with structural certifications prior to repair or lining.
- UPAs not reviewing structural certifications prior to authorizing repair or lining.
- Lining and repairs being performed without UPA notification or permits.
- Improper contractor licenses being utilized to perform tank entries.

For questions or notifications regarding notification of UST lining, repair or entry, please contact Mr. Tom Henderson at (916) 319-9128

or [tom.henderson@waterboards.ca.gov](mailto:tom.henderson@waterboards.ca.gov).

### **Contractors Performing Internal Inspections or Repairs on Underground Storage Tanks**

The State Water Board has directed contractors performing underground storage tank internal inspections, repairs or linings to submit a *UST internal inspection Form* to the State Water Board within 14 days of completion of the inspection. Letters were sent to all known UST inspection contractors by certified mail in November 2017. The contractor submittal does not relieve the UST owner or operator of demonstrating

structural integrity to the UPA prior to repairing, upgrading, or certifying the UST for continued use. The contractor Underground Storage Tank Internal Inspection Form can be obtained

here: [https://www.waterboards.ca.gov/ust/docs/underground\\_internal\\_inspection.pdf](https://www.waterboards.ca.gov/ust/docs/underground_internal_inspection.pdf)

For contractors with questions regarding UST internal inspections, please contact Mr. Tom Henderson at (916) 319-9128 or [tom.henderson@waterboards.ca.gov](mailto:tom.henderson@waterboards.ca.gov).

## **Department of Toxic Substances Control (DTSC)**

### **Hazardous Waste Emergency Permits**

A Hazardous Waste emergency permit is a temporary authorization from DTSC for the management of hazardous waste, which poses an imminent and substantial endangerment to human health or the environment. The determination of whether or not an emergency permit should be issued is made on a case-by-case basis. The effective time duration for emergency permits varies, but cannot exceed 90 days. Emergency permits cannot be renewed. There are no fees required to request or conduct activities under an emergency permit. Emergency permit determinations must comply with the California Environmental Quality Act (CEQA). Additional information and emergency permits issued by DTSC, beginning July 2017, can be found at:

[http://www.dtsc.ca.gov/HazardousWaste/Permits/Emerg\\_permit.cfm](http://www.dtsc.ca.gov/HazardousWaste/Permits/Emerg_permit.cfm)

### **Generator Improvement Rule**

On May 30, 2017, the United States Environmental Protection Agency's (US EPA's) Hazardous Waste Generator Improvement Rule (GIR) went into effect. Since California is an authorized state, the GIR does not take effect in California until DTSC adopts the US EPA rule, or parts thereof, via the California rulemaking process. DTSC is required to adopt those provisions within the rule that are more stringent. DTSC will provide periodic updates regarding progress with the adoption of the US EPA rulemaking process through the DTSC Website:

[http://dtsc.ca.gov/hazardouswaste/generator\\_improvement\\_rule.cfm](http://dtsc.ca.gov/hazardouswaste/generator_improvement_rule.cfm) and at the DTSC e-list. To sign up to receive the DTSC Regulator e-list, please visit:

<http://www.dtsc.ca.gov/contactdtsc.elists.cfm>.

## **CalFIRE – Office of the State Fire Marshal**

### **Tanks in Underground Areas**

With the approval of the building standards code proposals in August 2017 by the California Building Standards Commission, fire code piping requirements for tanks in underground areas become effective July 1, 2018. The full definition of a tank in an underground area, as amended by Senate Bill 612 (Jackson, Stats. 2015, Ch. 452), also becomes effective July 1, 2018.

Details of the requirements may be viewed online at the California Building Standards Commission's website: <http://www.bsc.ca.gov/codes.aspx>. Refer to the supplement document listed under Part 9 – California Fire Code. The bulk of the requirements are found in Chapter 57 (Flammable and Combustible Liquids) with a few additions or amendments to Chapters 2 (Definitions) and 23 (Motor Fuel-Dispensing Facilities and Repair Garages).

***CalEPA is interested in your comments and suggestions regarding the Unified Program monthly newsletter. Please provide your comments and suggestions to: [cupa@calepa.ca.gov](mailto:cupa@calepa.ca.gov).***