

Unified Program Newsletter – April 2021

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CalEPA

[CERS Knowledge Base, Help Articles and FAQs](https://cers.calepa.ca.gov/newsletter-articles)

(<https://cers.calepa.ca.gov/newsletter-articles>)

[CERS Regulator Portal Help: Facility Transfers in CERS](https://cers.calepa.ca.gov/wp-content/uploads/sites/11/2021/04/CERS-Regulator-Portal-Help-Facility-Transfers-in-CERS.pdf)

(<https://cers.calepa.ca.gov/wp-content/uploads/sites/11/2021/04/CERS-Regulator-Portal-Help-Facility-Transfers-in-CERS.pdf>)

State Water Board

Regulatory Deadline for Overfill Prevention Equipment Inspection

On June 24, 2020, the State Water Resources Control Board (State Water Board) issued [correspondence](#)

(https://www.waterboards.ca.gov/ust/docs/overfill_prevention_equipment_inspection_letter.pdf)

regarding the regulatory deadline (deadline) for overfill prevention equipment inspection (overfill inspection). The correspondence informed the Unified Program Agencies (UPAs) that, due to the numerous underground storage tank (UST) owners or operators required to complete overfill inspections by October 2021, there will probably be limited availability of service technicians and overfill prevention equipment. The State Water Board provided additional guidance to UPAs on February 5, 2021, with an updated [Local Guidance \(LG\) 150 – Underground Storage Tank Overfill Prevention Systems](https://www.waterboards.ca.gov/water_issues/programs/ust/leak_prevention/lgs/docs/150-3.pdf) (https://www.waterboards.ca.gov/water_issues/programs/ust/leak_prevention/lgs/docs/150-3.pdf) detailing the overfill prevention equipment and inspection requirements.

California Code of Regulations, title 23, division 3, chapter 16 (UST Regulations), section 2637.2(a), requires overfill inspections to be completed: 1) once by October 13, 2018, and every 36 months thereafter for USTs installed before October 1, 2018, 2) upon installation and every 36 months thereafter for USTs installed on or after October 1, 2018, and 3) within 30 days of a repair. UST Regulations, section 2620(e), further requires all periodic overfill inspections to be completed no later than the last day of the month in which the overfill inspection is required. Therefore, overfill inspections completed before the October 2018 deadline must be completed no later than 36 months after the initial overfill inspection (e.g., an overfill inspection performed August 2018, must complete the periodic overfill inspection no later than August 31, 2021). If a UST owner or operator did not meet the initial overfill inspection deadline of October 13, 2018, they must complete the periodic overfill inspection on or before the last day of the month required, in this case by October 31, 2021.

To avoid the risk of violations and to reduce the possibility of service technician and equipment constraints now and in the future, State Water Board staff encourage UPAs to remind UST owners or operators to complete the overfill inspection early. UPAs should also remind UST owners or operators that they may obtain cost savings by completing the overfill inspection concurrently with the secondary containment testing or the annual monitoring system certification. In accordance with UST Regulations, section 2620(e), completing the overfill inspection early moves the deadline forward, so that the next periodic overfill inspection will be due at the end of the 36th month following the overfill inspection, rather than October 2024, when service technician and overfill equipment availability is again expected to be limited.

For additional information regarding overfill inspections, contact:

Ms. Jessica Botsford at (916) 341-7388 or Jessica.Botsford@waterboards.ca.gov, or Mr. Tom Henderson at (916) 319-9128 or Tom.Henderson@waterboards.ca.gov.

California Underground Storage Tank Leak Prevention January - June 2020 Semi-Annual Report

On February 16, 2021, the State Water Board provided UST stakeholders with the [California Underground Storage Tank Leak Prevention January-June 2020 Semi-Annual Report](https://www.waterboards.ca.gov/ust/adm_notices/ca_ust_leak_prevention_report_.pdf) (https://www.waterboards.ca.gov/ust/adm_notices/ca_ust_leak_prevention_report_.pdf). This report was developed in collaboration between the United States Environmental Protection Agency (U.S. EPA) and State Water Board. The California Environmental Reporting

System (CERS) and the California GeoTracker database were used to obtain report information. This report summarizes important information such as CERS implementation status, unauthorized release reporting, and single-walled UST system data. In addition, data are presented for each UPA and the State of California as a whole.

A few noteworthy data points include: UPAs are meeting preliminary CERS goals, UPA inspection and follow-up continues to drive UST facility compliance, unauthorized release numbers remain low, and the removal of single-walled tanks/piping continues to be below the target rate to have all single-walled UST systems closed by December 31, 2025.

For more information regarding the *California Underground Storage Tank Leak Prevention January – June 2020 Semi-Annual Report*, contact:

Mr. Tom Henderson at (916) 319-9128 or Tom.Henderson@waterboards.ca.gov, or Ms. Laura Fisher at (916) 341-5870 or Laura.Fisher@waterboards.ca.gov.

Semi-Annual Underground Storage Tank Program Report Results, July – December 2020

The collected results of the July – December 2020 *Semi-Annual UST Program Report* (Report 6) are now available on the [UST Leak Prevention webpage](https://www.waterboards.ca.gov/ust/leak_prevention/) (https://www.waterboards.ca.gov/ust/leak_prevention/).

Additionally, the red tag application data as part of the June – December 2020 Report 6 was updated and depicted on the [UST Red Tag Requirements and Guidance webpage](https://www.waterboards.ca.gov/ust/enforcement/red_tag_regs_index.html). (https://www.waterboards.ca.gov/ust/enforcement/red_tag_regs_index.html)

For additional information regarding the July – December 2020 Report 6 results and red tag application data, contact:

Mr. Tom Henderson at (916) 319-9128 or Tom.Henderson@waterboards.ca.gov, or Ms. Laura Fisher at (916) 341-5870 or Laura.Fisher@waterboards.ca.gov.

Changes to the California Environmental Reporting System Frequently Asked Question Website

State Water Board staff have both modified and added frequently asked questions (FAQs) to the [CERS FAQ website](https://www.waterboards.ca.gov/water_issues/programs/ust/cers/faqs.html). (https://www.waterboards.ca.gov/water_issues/programs/ust/cers/faqs.html)

While all FAQs were modified for aesthetics and accessibility, State Water Board staff made the following significant changes to the Regulator User FAQs:

- Updated the webpage “*How to Create a Valid UST Report 6 in CERS*” to be consistent with the current reporting requirements, which includes the technical compliance rate information;
- Created a new webpage “*Reporting Closed USTs When No Business Lead is Available*” detailing the process UPAs may utilize to close USTs at facilities in CERS where the UST owner or operator is inactive or unavailable;

- Created a new webpage “*Using CERS Reports to Ensure Accurate UST Facility and Tank Counts*” to assist UPAs with the perennial question – Why doesn’t the Report 6 give me the correct numbers?

Additionally, State Water Board staff made the following changes to the Business User FAQs:

- Created a new webpage “*Changing or Reusing Tank ID Numbers*” to detail the proper methods for UST owners or operators to change the optional tank identification information;
- Created a new webpage “*Reporting Closure of a Facility’s Remaining USTs*” to assist UST owners and operators on the methods to remove USTs from their CERS facility page;
- Created a new webpage “*Split Facility Feature: Transferring a UST to Another Facility*” to assist UST owners that have sold a portion of their business with the process of transferring USTs to a new UST facility owner;
- Created a new webpage “*Reporting Archived, Previously Closed but Unreported USTs*” to assist UST owners and operators in closing USTs in CERS that had been previously permanently closed yet remain in CERS;
- Created a new webpage “*Discarding Previously Closed Tanks from Future UST Submittals*” to assist UST owners or operators with removing old UST data from CERS.

For additional information regarding the CERS FAQs, contact:

Mr. Tom Henderson at (916) 319-9128 or Tom.Henderson@waterboards.ca.gov, or Ms. Laura Fisher at (916) 341-5870 or Laura.Fisher@waterboards.ca.gov.

United States Environmental Protection Agency’s Underground Storage Tank Finder

The U.S. EPA has recently provided additional information regarding the [UST Finder](https://www.epa.gov/ust/ust-finder) (<https://www.epa.gov/ust/ust-finder>). As previously mentioned in the [March 2021 UST Program Update](#)

(https://www.waterboards.ca.gov/water_issues/programs/ust/cupa/updates/docs/2021mar_ust.pdf), the *UST Finder* is an ARCGIS, web-based application developed by U.S. EPA which has the ability to: 1) provide information on UST and leaking UST sites such as geolocation and number of tanks on-site, and 2) upload and download data into other software programs.

The U.S. EPA has developed [Esri Services for UST Finder](#)

(https://www.waterboards.ca.gov/water_issues/programs/ust/docs/esri_services_for_ust_finder.xlsx), a comprehensive spreadsheet with a compiled list of layers that can be added to *UST Finder* in order to analyze additional information on fire, land use/landscape, natural disasters, infrastructure, demographic, soil, and water. The additional layers provide content such as the display of perimeters from the *National Incident Feature Service*

and the Federal Emergency Management Act's flood risk maps. This comprehensive spreadsheet may be found on the [Division of Water Quality – Underground Storage Tank Program](https://www.waterboards.ca.gov/ust/) webpage (<https://www.waterboards.ca.gov/ust/>) by clicking on the “Esri Services for UST Finder” bullet in the section titled “From USEPA.”

For additional information regarding the U.S. EPA's *UST Finder*, contact: Mr. Sean Farrow at (916) 324-7493 or Sean.Farrow@waterboards.ca.gov, or Mr. Tom Henderson at (916) 319-9128 or Tom.Henderson@waterboards.ca.gov.

DTSC

Non-Substantive Regulation Approval

The [Amendment to the P075 Hazardous Waste Listing for Nicotine Rulemaking](https://dtsc.ca.gov/section-100-amend-the-p075-hazardous-waste-listing-for-nicotine/) (<https://dtsc.ca.gov/section-100-amend-the-p075-hazardous-waste-listing-for-nicotine/>) was approved by the Office of Administrative Law (OAL) and filed with the Secretary of State on March 9, 2021. All relevant documents and dates can be found at the above link. The rulemaking removes nicotine patches, gums, and lozenges that are FDA-approved over the counter (OTC) nicotine replacement therapies (NRTs) from the P075 acute hazardous waste listing in California effective on March 9, 2021.

Update from DTSC's Site Mitigation & Restoration Program

Please join Department of Toxic Substances Control (DTSC) for an upcoming listening session to learn more about the Administration's \$300 million budget proposal to accelerate progress toward the cleanup of contaminated properties and the revitalization of environmental justice communities. If approved, DTSC is proposing to use the \$300 million for grants for investigations and clean-ups of contaminated properties, for DTSC to conduct clean-ups and investigations of properties and, a job training program to promote the hiring of community members on cleanups. DTSC activities under the proposed \$300 million are focused on funding work in disadvantaged communities with significant housing needs, to protect public health and provide opportunities for community revitalization.

The listening sessions will be held in late April, and registration details is available on the DTSC website. For more information contact Maryam.Tasnif-Abbasi@dtsc.ca.gov.

Hazardous Waste Generator Facility Off-Site Compliance Monitoring (Virtual Inspections)

U.S. EPA has provided interim guidance and expectations regarding off-site methods of compliance monitoring at hazardous waste generator facilities (i.e. off-site record review, desk audits, and other methods of virtual compliance monitoring). DTSC interprets this guidance to mean that inspections are only to be counted as a complete “Compliance Evaluation Inspection”, otherwise known as a “Routine” inspection, if an inspector was on-site. In order to be consistent with U.S. EPA, DTSC is requesting that CUPAs conducting off-site compliance monitoring activities code these activities as “Other” inspections in CERS and note in the inspection comments that a virtual inspection was conducted without an on-site inspection component. Inspections that

include an on-site facility tour and an off-site record review may be counted as a “Routine” inspection in CERS. DTSC encourages safe field practices and is not discouraging off-site compliance monitoring activities, however data pertaining to these activities needs to be accurately reported to U.S. EPA via CERS.

Treated Wood Waste (TWW) Update: List of Landfills and Transfer Stations Accepting TWW

DTSC has posted a list of the [landfills](https://dtsc.ca.gov/tww-variances/) (https://dtsc.ca.gov/tww-variances/) and [transfer stations](https://dtsc.ca.gov/handler-transporters-with-variances/) (https://dtsc.ca.gov/handler-transporters-with-variances/) that are accepting treated wood on our website. The list only includes the facilities that have asked to be on the website and there are many other facilities that have received a variance. DTSC recommends calling these facilities in advance to understand their acceptance requirements. For example, some landfills have imposed conditions that go beyond the requirements of their variance such as only accepting treated wood from customers that have a variance. Other landfills require that you have a pre-approved waste profile prior to arriving at the landfill.

FAQ Link: <https://dtsc.ca.gov/treated-wood-waste-tww-frequently-asked-questions/>

Hazardous Waste Generator Regulations Compendium

U.S. EPA developed the Hazardous Waste Generator Regulations Compendium, which serves as a user-friendly reference to assist U.S. EPA and state staff, industrial facilities generating and managing solid and hazardous wastes, as well as the general public, in locating resources that address specific regulatory issues within the federal hazardous waste generator program. The first six volumes of the compendium [are now available on the Generator website](#).

(<https://www.epa.gov/hwgenerators/hazardous-waste-generator-regulations-compendium>)

Cal OES

Cal OES Welcomes New Staff

Cal OES is pleased to announce the recent addition of Garrett Chan as the new Environmental Scientist in the Special Operations & Haz Mat Section.

Garrett graduated from University of California, Riverside with a BS degree in Biology. From there he started his career in the State of California at the Division of the State Architect, and has been with the Cal OES Fire and Rescue branch since 2017. Garrett will be working with the Unified Program staff at Cal OES, and will be a CUPA evaluator, among other things.

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.

[CalEPA Unified Program Home Page](#)