



UST Program Update April 2022

Site-Specific Variances

A site-specific variance for an underground storage tank (UST) system, as described in California Code of Regulations, title 23, division 3, chapter 16 (UST Regulations), provides UST owners and operators with an alternate construction or monitoring method for a UST system due to unique facility conditions. The site-specific variance may only be provided by Regional Water Quality Control Board provided there is complete and convincing evidence that 1) the variance is necessary and 2) the proposed alternate construction or monitoring method will protect the soil and waters of the state from an unauthorized release from the system.

Site specific variances allowing construction that does not meet the minimum requirements of Health and Safety Code, chapter 6.7 (H&SC), sections 25291(a)(1)-(6) will not be allowed after December 31, 2025, as all UST systems must be secondarily contained and continuously monitored after this date.

For more information regarding site-specific variances, contact Mr. Tom Henderson at (916) 319-9128 or Tom.Henderson@waterboards.ca.gov.

Enhanced Leak Detection Requirements

State Water Resources Control Board (State Water Board) staff have recently received several questions related to enhanced leak detection (ELD) testing requirements for various UST configurations. The requirements per UST Regulations are:

- Secondarily contained USTs within 1,000 feet of a drinking water well are required to have one-time ELD testing upon notification from the State Water Board.
- Single-walled USTs within 1,000 feet of a drinking water well are required to have ELD testing upon notification from the State Water Board and every 36 months afterwards (UST Regulations, section 2644.1(a)(3)).

Single-walled pipe connected to USTs installed prior to July 1, 2003 and meeting the secondary containment exemption provisions of UST Regulations, section 2636(a) are not subject to triennial ELD testing.

For more information regarding ELD requirements, contact Mr. Austin Lemire-Baeten at (916) 327-5612 or Austin.Lemire-Baeten@waterboards.ca.gov.

24th Annual CUPA Conference - UST Leak Prevention Presentations

The 24th Certified Unified Program Agency (CUPA) Conference (Conference) was held online March 22-31, 2022. State Water Board Leak Prevention staff appreciate the opportunity to discuss current UST subject matter and answer both technical and administrative questions. The training sessions offered numerous instances to educate attendees on the intricacies of the UST Program, providing long term benefits to the Unified Program. Below are brief summaries of UST Leak Prevention staff presentations:

Year in Review for 2021

Tom Henderson presented an informational overview of UST Program statistics over the past year including release data and UST compliance rates. One statistic worth mentioning is the discovery of no new releases during the January-June 2021 reporting period. The presentation also covered changes to the Office of Tank Tester Licensing, updates to local guidance letters, the rewriting of UST Regulations, and what the future holds for the UST Program.

CUPA Performance Evaluation Process

Tom Henderson presented on the CUPA performance evaluation process. The presentation covered some of the procedures State Water Board staff use during the triennial evaluation when reviewing CUPA data. The presentation discussed transparency between evaluation staff and CUPAs, and demonstrated some metrics evaluation staff use during evaluations.

UST Regulations Rewrite

Tom Henderson also presented on proposed changes to UST Regulations expected to become effective on January 1, 2026. UST systems that are not constructed to meet the requirements of H&SC, section 25291(a)(1)-(6) will be noncompliant with UST Regulations. State Water Board staff will be meeting with CUPAs and other industry shareholders this summer to workshop the regulations to effectively protect the waters of the state for years to come.

Line Leak Detectors

Austin Lemire-Baeten presented on the nuances of automatic line leak detectors. Topics covered included line leak detector functionality, common issues with line leak detectors, and what the future may hold for automatic line leak detectors.

State Water Board staff would like to thank the participants for sharing their knowledge at this year's Conference and look forward to seeing everyone in Anaheim next year. The presentations were recorded and are available on the [California CUPA Forum](#)¹ website for those who registered for the 2022 Conference.

Additions to Local Guidance Letter 113

State Water Board staff have updated [Local Guidance Letter 113](#)² (LG-113) to reflect recent leak detection certifications by an independent third-party testing laboratory as meeting the leak detection requirements equivalent to the Standard Test Procedures for Evaluating Release Detection Methods for pipeline release detection, volumetric and non-volumetric tank tightness testing, and automatic tank gauging systems. The Pneumercator LLP-203 automatic line leak detector has been posted to LG-113 as well as the Pneumercator TMS4000 monitoring panel in conjunction with various sensors and magnetostrictive probes. CUPAs should anticipate the use of this leak detection equipment at new and upgraded facilities and ensure service technicians have received training on these products through the manufacturer.

State Water Board staff are making additional modifications to LG-113 in an effort to improve the web site usability. As LG-113 has grown over the years, some manufacturer information has become difficult to navigate. Moving forward, some equipment sections will be re-organized by the leak detection device, with links to the associated monitoring panel. Pneumercator's listings have been updated to reflect this new structure, and other manufacturer's sections will be modified over the next several weeks.

For more information regarding additions to LG-113, contact Mr. Austin Lemire-Baeten at (916) 327-5612 or Austin.Lemire-Baeten@waterboards.ca.gov.

¹ <https://calcupa.org/index.html>

² https://www.waterboards.ca.gov/water_issues/programs/ust/leak_prevention/lg113/