
State Water Resources Control Board

April 27, 2017

To: Unified Program Agencies

CONCLUSION OF THE ABANDONED UNDERGROUND STORAGE TANK INITIATIVE, AND UNIFIED PROGRAM AGENCY INSPECTION AND REPORTING REQUIREMENTS

From April 2013 to November 2016, the State Water Resources Control Board (State Water Board) and U.S. Environmental Protection Agency (U.S. EPA) partnered with the Unified Program Agencies (UPAs) on the Abandoned Underground Storage Tank Initiative (Initiative). Through this collaborative effort, the agencies documented the location of abandoned underground storage tanks (USTs) throughout the state and worked to achieve compliance through proper removal or closure-in-place to reduce the environmental threat posed by abandoned USTs. The agencies have concluded the Initiative and published the final *California Abandoned Underground Storage Tank Initiative* report, located on the State Water Board's website at http://www.waterboards.ca.gov/ust/abandoned_storage.shtml.

During the course of the Initiative, the UPAs reported 327 sites with abandoned USTs to the State Water Board. The agencies worked together to achieve compliance at 63 percent (or 208) of the reported sites. Additional accomplishments include: 1) 193 USTs removed at 83 sites; 2) 19 USTs closed in place at 8 sites; 3) 124 USTs returned to service at 51 sites; 4) 142 USTs gauged for product at 48 sites; and 5) 45 USTs pumped and sealed at 16 sites. This effort has produced great results; however, there still is work to be done.

To ensure the consistency of future UPA inspection and reporting of abandoned USTs, the State Water Board and U.S. EPA have outlined the following expectations and requirements for both existing and future out-of-compliance abandoned USTs:

1. UPAs must ensure that abandoned, but previously-regulated USTs are present in the California Environmental Reporting System (CERS) with the UST element set to "Applicable" or "Always Applicable." USTs properly closed in the past or during the course of the initiative do not need to be entered into CERS retroactively. The CERS Frequently Asked Questions for *Reporting Abandoned USTs* has been updated to clarify that "previously-regulated" refers to all USTs in use on or after January 1, 1984, including any UST that contained significant petroleum product on or after this date.
2. Inspections of abandoned USTs must be conducted annually in accordance with California Code of Regulations (Cal. Code. Regs.), Title 23, Section 2638.
3. UPAs must take progressive enforcement actions including a Notice of Violation to UST owners and operators of abandoned USTs that have not applied for temporary or permanent closure within 30 days of the date of discovery. (Cal. Code. Regs.,

Section 2670(b), (c), & (f). UPAs must cite owners and operators of abandoned USTs for not complying with UST closure requirements in accordance Health & Safety Code (Health & Saf. Code), Section 25284 and 25298.

4. UPAs should affix red tags to abandoned USTs in non-compliance that results in a violation that is causing, or threatens to cause a liquid release of petroleum from an underground storage tank system; impairs the ability of an underground storage tank system to detect a liquid leak or contain a liquid release of petroleum in the manner required by law; or a chronic violation or a violation that is committed by a recalcitrant violator; in significant violation. (Cal. Code. Regs., Section 2717.1; see also Cal. Code Regs., Section 2717.)
5. UPAs are required to provide Significant Operational Compliance determinations for regulated abandoned UST sites in the Semi-Annual Report 6. Please refer to [Letter LG 164-2: Reporting of Significant Operational Compliance](#) for more information on reporting.

The State Water Board and U.S. EPA will continue to monitor the UPAs progress with addressing abandoned USTs. To assist UPAs, a toolbox of resources used as part of the Initiative are available at http://www.waterboards.ca.gov/ust/abandoned_storage.shtml and include the following:

1. Fact Sheet for California Property Owners – Tank Closure & Cleanup Requirements;
2. Funding Eligibility Screening Checklist;
3. Funding Program Matrix;
4. Tips for Responsible Party (RP) Searches; and
5. Fact sheets and application forms for funding programs.

Questions regarding abandoned USTs should be directed to Mr. Tom Henderson at tom.henderson@waterboards.ca.gov or (916) 319-9128.

Sincerely,



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cc: [Via email only]

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