

*Workshop on Permanent
Closure of Single-Walled USTs
and Funding Opportunities For
Closure and Cleanup*



CALIFORNIA

Water Boards

STATE WATER RESOURCES CONTROL BOARD
REGIONAL WATER QUALITY CONTROL BOARDS

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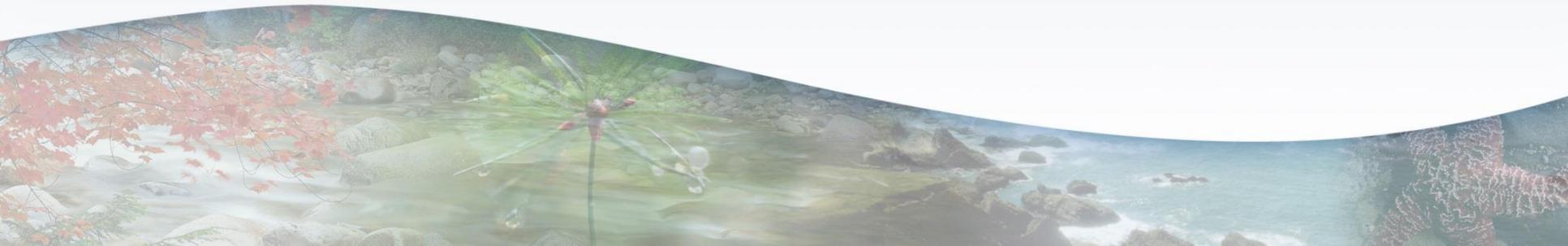
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Senate Bill 445

- Senate Bill 445 (Stats. 2014, Ch. 547) Authored by Assembly Member Hill became effective September 25, 2014.
- Amended State Law, the California Health and Safety Code 25292.05.
- Requires the permanent closure of single-walled tanks and piping.



What does the new law require?

- Tanks and/or piping that do not meet the requirements of H&SC, section 25291(a)(1)-(6) must be permanently closed on or before December 31, 2025.



Tank/Piping That Meet H&SC Section 25291(a)(1)-(6)

- Designed and constructed to have primary and secondary levels of containment (double-walled).
- Primary containment is product tight (liquid tight).
- Compatible with the substance stored
- Secondary is constructed to prevent structural weakening as a result of contact with released substance.



Tank/Piping That Meet H&SC Section 25291(a)(1)-(6)

- Continuous leak detection system capable of detecting the entry of the stored substance from the primary containment into the secondary containment.
- Continuous leak detection system capable of detecting water intrusion into the interstitial space from the environment.



Scenario 1: Single-Walled Tank with Double-Walled Piping

- When the single-walled tank is replaced new requirements are triggered.
- The existing piping becomes subject to the requirements of H&SC 25290.1.
- This means the piping becomes subject to vacuum, pressure, or hydrostatic (VPH) monitoring, must be liquid tight/vapor tight, etc.



Scenario 1: Single-Walled Tank with Double-Walled Piping

- Existing double wall piping can only remain in place if the piping is approved for use by UL for VPH monitoring and can operate in accordance with Section 25290.1 (VPH, liquid/vapor tight). Not recommended.
- Vent/vapor recovery also become subject to the requirements of Section 25290.1 (VPH, liquid/vapor tight).
- System subject to ELD testing.



Scenario 2: Double-Walled Tank with Single-Walled Piping

- Piping shall meet the requirements of H&SC section 25291(a)(1)-(6).
- Vapor recovery lines, vent, and safe suction piping installed before July 1, 2003 are not subject to H&SC 25292.05.



Fill Risers

- Vent and fill risers are not subject to 25292.05 if the UST was before July 1, 2003 and has either a ball float that restricts flow 30 min's prior to overflow and allows no more than 95% capacity, or a flapper valve which shuts off the flow at 95%.
- In contrast, USTs which do not have the methods of overflow identified above and those USTs installed after July 1, 2003 must have secondary containment (i.e. a sump).

How to Demonstrate Compatibility

- USTs installed before January 1, 1991 are required to demonstrate compatibility with the stored substance by one of the following:
 - An approval for the stored substance by an independent testing organization (e.g. UL); or
 - An affirmative statement of compatibility from the manufacturer of the tank that specifies the acceptable concentrations of the stored substance.

How to Determine Compatibility

- USTs installed after January 1, 1991 are required to demonstrate compatibility with an independent testing organization approval.
- When the independent testing organization approval does not include the substance stored, the owner/operator must also provide an affirmative statement from the tank manufacture regarding compatibility.

Vent and Vapor Recovery

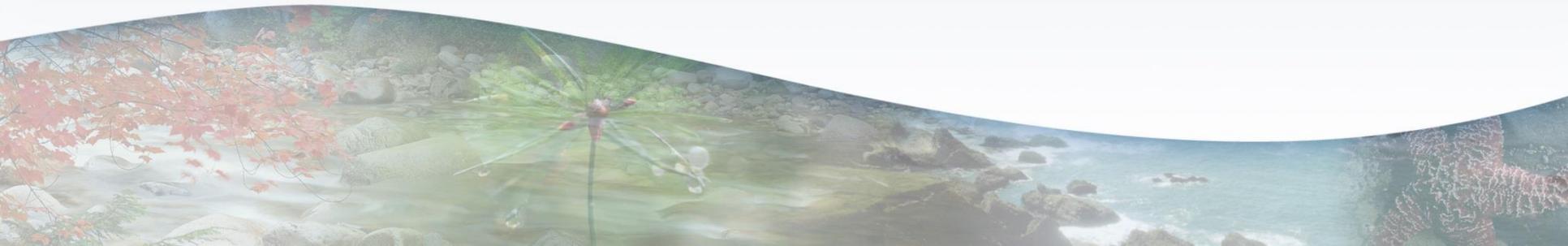
- Installed before July 1, 2003, and do not hold standing fluid, are not subject to H&SC section 25292.05.
- Installed before July 1, 2003 and hold standing fluid, and USTs installed after July 1, 2003 are subject to H&SC 25292.05.



Interior Lined Tanks

Tanks with Bladders

- Single-walled interior tanks that are lined must be permanently closed.
- Tanks with rigid and flexible bladders.
- Liners, coatings, nor bladders meet H&SC Section 25291(a) secondary containment requirements.



How to Determine if Tanks are Single-Walled

- Records review.
- Inquire with designated operator, service technician, etc.
- Use the services of a UST contractor to determine through a visual inspection.



Temporary Closure on or After December 31, 2025

- UST systems which have single wall components under no circumstances may be granted temporary closure after December 31, 2025.
- A provision of temporary closure is that the tank be returned to service. Because the tank may not be returned to service after December 31, 2025 it is not eligible for temporary closure.

What is Permanent Closure

- Obtain permit from CUPA
- All liquids, solids, sludge in the tank must be removed and handled as hazardous substance.
- Tank must be inerted, removed, and properly disposed.
- All piping and accessories must removed and properly disposed .



What is Permanent Closure

- Soil samples analysis and/or water analysis if water is present in the excavation is required immediately after tank removal to determine if an unauthorized release has occurred.
- Closure in place may be an option in limited situations, and only when approved by the CUPA.



Penalties

- Beginning January 1, 2026 civil penalties no less than \$500 and not more than \$5,000 per day, per tank, per violation.



Replace, Remove, Upgrade Funding

- Replacing, Removing, or Upgrading USTs (RUST) grants and loans are available for small UST business owners or operators to finance up to 100% of the costs necessary to upgrade, remove, or replace project tanks.
- Loans and grants are limited each year, apply early!



Incentive to Early Permanent Closure

- Deadline for submittal of a claim application to the cleanup fund for reimbursement of eligible costs for cleanup is December 31, 2024.
- The cleanup fund is scheduled to sunset on January 1, 2026.



DO NOT DELAY!

- A review of statutory deadlines tells us that tank removal and cleanup should begin..... NOW:
 - Fund sunsets January 1, 2026
 - Last claim application December 31, 2024
- Statistical average for UST cleanup activities is 17 years.

