



# County of San Diego

DEPARTMENT OF ENVIRONMENTAL HEALTH & QUALITY  
HAZARDOUS MATERIALS DIVISION  
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**2022**

**\*\*\*\*\* INFORMATION BULLETIN \*\*\*\*\***

## **UNDERGROUND STORAGE TANK PROGRAM UPDATE**

The Hazardous Materials Division recently made operational changes in the UST inspection program to better assist Underground Storage Tank (UST) Owners and Operators in meeting their regulatory requirements. This bulletin outlines the changes and updates to provide valuable information that can help UST owners, operators, contractors, consultants, and other parties interested in UST management.

### **UPDATE SUMMARY**

*Recent updates within the HMD UST Program include:*

- ❖ **UST Plan Review & Inspection Fees for Fiscal Year 2022-2023**
- ❖ **Plan Check Permitting Clarification - Modifications**
- ❖ **Compatibility Requirements**
- ❖ **CERS Requirements for Plan Check Permits**
- ❖ **Overfill Prevention Equipment – Overfill Alarm**
- ❖ **Overfill Prevention Equipment Exemption**
- ❖ **Financial Responsibility Update & UST Cleanup Fund**
- ❖ **SB 445 – SW UST System Permanent Closure Provisions**

## UST Plan Review & Inspection Fees - effective July 1, 2022

In accordance with the San Diego County Code of Regulatory Ordinances, Division 5, Section 65.107, the following UST Plan Review & Inspection Fees have changed for the Fiscal Year 2022-2023. [San Diego County Fees](#)

ACTIVITY	Fees for Fiscal Year 2022-2023
<b><i>New UST Construction<sup>1</sup></i></b>	
Installation Fee for First Tank	\$2,370.00
Fee for each additional tank	\$ 591.00
<b><i>UST Upgrade/Repair</i></b>	
Upgrade/Repair - 1 Inspection <sup>2</sup>	\$ 1,628.00
Upgrade/Repair - 2 Inspections <sup>3</sup>	\$ 2,279.00
<b><i>UST Closure</i></b>	
Closure Fee for first tank	\$ 1,675.00
For each additional tank	\$ 423.00
<b><i>Other Fees</i></b>	
Consultation Fee/per hour ( <i>Minimum 2 hours</i> )	\$ 158.00/hr.
Plan Re-Review/Extension	\$ 171.00
Each additional inspection/Re-inspection Fee <sup>4</sup>	\$ 775.00
CUPA Surcharge - Program Oversight-Hazmat ( <i>Per Facility</i> ) <a href="https://calepa.ca.gov/cupa/">https://calepa.ca.gov/cupa/</a>	\$84.00
CUPA Surcharge - Underground Storage Tanks ( <i>Per Tank</i> ) <a href="https://calepa.ca.gov/cupa/">https://calepa.ca.gov/cupa/</a>	\$20.00

<sup>1</sup> Fees will also apply to all interior lining and bladder installations.

<sup>2</sup> This fee will apply only to permit projects where only one inspection by DEHQ is required. Inspections lasting longer than 4 hours will be subject to an additional \$158.00/hr. fee. Typical projects where only one inspection is required:

- ◆ Installation of new UST monitoring system
- ◆ Repair to secondary containment components

<sup>3</sup> This fee will apply to permit projects where two inspections by DEHQ will be required.

<sup>4</sup> Any additional inspection or re-inspection required by DEHQ will be subject to an additional fee of \$775.00. If you are unsure as to how many inspections are required for a project, please contact the Plan Check Technician (858) 505-6976.

## Plan Check Permitting Clarification – Modifications

### Permit Requirements

- Permit NOT REQUIRED:
  1. Install / replace test boots
  2. Install / replace an automatic shutoff device (flapper valve)
  3. Replacement of a spill bucket
  4. Removal of a ball float\*
  5. Replace like for like sensor
  
- Permit REQUIRED:
  1. Retrofit an emergency generator system with a line leak detector (LLD)
  2. Buried single wall (SW) product piping that needs repair – required to be upgraded to double wall (DW)
  3. Convert an existing tank to E85 (new monitoring equipment required)
  4. Monitoring System software upgrade\*\*

\*Effective October 1, 2018, when overfill prevention equipment is installed, repaired, or replaced, flow restrictors(ball float) in vent lines no longer comply with the overfill prevention requirement.

\*\*Any software upgrade scheduled to be completed within 30 days prior to the routine UST compliance inspection may submit a written request to waive the permit requirement. Contact Veronica Archer at [Veronica.Archer@sdcounty.ca.gov](mailto:Veronica.Archer@sdcounty.ca.gov) for more information.

## Compatibility Requirements

### New UST Installation:

The UST owner or operator must demonstrate compatibility at the time of installation for all components of the UST system that may come into contact with the substance stored in accordance with CCR Title 23 Section 2631(l). The additional components for which compatibility must be demonstrated include, but are not limited to, spill containers, overfill prevention equipment, and ancillary equipment. Documents demonstrating compatibility must be provided as part of the application for a UST construction permit and must be retained by the UST owner or operator for as long as the UST stores that specific substance.

### Existing UST content change:

The owner or operator shall notify DEH at least 30 days before changing the substance currently stored in the UST in accordance with CCR Title 23 Section 2711(c). The notification shall be in writing and include the substance to be stored, the date storage of the substance will begin, and compatibility documentation.

*\*Refer to the DEHQ [UST Plan Check page](#) for additional information about the Program and Forms\**

## CERS Requirements for Plan Check Permits

Since January 2013, all businesses in the County of San Diego with a unified program facility permit are required by law to maintain their permit electronically by creating an account in the California Environmental Reporting System (CERS) and submitting their business information electronically. Many UST plan check projects will require updating their UST system information in CERS for the associated facility. The following work scopes are common scenarios that require a CERS update:

### **New UST Installation**

The Facility Information, Hazardous Materials Inventory, and UST elements must be added.

### **UST Removal**

- ▶ In the UST element select the applicable Tank ID(s); use “Tank Removal” for the action and add the UST removal date.
- ▶ Remove the UST(s) inventory and update the site map in the Hazardous Materials Inventory element if the facility will still be subject to CUPA permitting requirements.
- ▶ If the facility no longer has USTs at the facility, the business activities page must be updated in the Facility Information element **after** the UST element edits have been accepted.

### **UST Content change**

If tank content changes, the tank information and inventory must be updated within 30 days of the content change. If an existing tank will convert tank content to E85, email Veronica Archer at [Veronica.Archer@sdcounty.ca.gov](mailto:Veronica.Archer@sdcounty.ca.gov) for guidance on compatible monitoring system sensors.

### **UST System monitoring changes**

In the UST element, select the applicable tank ID(s) and modify the UST monitoring plan. .

### **UST System component installation or replacement**

In the UST element, select the applicable tank ID(s) and modify the UST information and add the “*UST Certification of installation/modification*”.

*\*Refer to the DEHQ [CERS](#) page for additional information\**

## Overfill Prevention Equipment – Overfill Alarm

Overfill alarms are often associated with automatic tank gauge (ATG) systems, which are programmed to activate audible and visual alarms at a prescribed liquid level. Overfill alarms must be clearly visible and audible to the transfer operator at the tank fill point. Unlike other Overfill Prevention Equipment (OPE) methods, alarms do not restrict or stop the flow of product to the UST. Functionality of audible and visual alarms and the transfer operator's awareness of the alarms are the only factors preventing an overfill of the UST.

For many commonly used ATG systems, when an overfill alarm is activated for one UST, additional overfill alarms for other tanks will not activate if the alarm for the first tank has not yet cleared. This effectively eliminates overfill protection for all but one tank if multiple tanks are filled at the same time. This condition must be reviewed by the service technician during installation, repair, and every 36-month overfill equipment inspections. Systems that only can activate external alarms when the first UST overfill condition occurs must be noted as failing the inspection and additional actions must be taken to ensure that the overfill prevention system is functional for all USTs at a facility when fuel is added to the USTs.

*\*Refer to [Local Guidance \(LG\) Letter 150-3](#) for additional information\**

## Overfill Prevention Equipment Exemption

All underground storage tanks shall be equipped with Overfill Prevention Equipment (OPE) that does not allow for manual override. However, per UST regulations (Title 23), the Unified Program Agency (UPA) may waive the requirement for overfill prevention equipment where all the following conditions exist:

- › The tank inlet exists in an observable area;
- › The spill container is adequate to collect any overfill;
- › The tank system is filled by transfers of no more than 25 gallons at one time;
- › The UST vent & tank riser piping are **secondarily contained**.

Waste Oil USTs are subject to overfill equipment, however due to the nature of their construction and use, they are often eligible for the overfill prevention exemption if the system meets **all** criteria. UPAs cannot waive the OPE requirement for any UST implementing the secondary containment piping exemption per section 2636(a) of Title 23.

*\*Refer to [Local Guidance \(LG\) Letter 150-3](#) for additional information\**

# Financial Responsibility Update & UST Cleanup Fund

*The Underground Storage Tank Cleanup Fund will not be permitted for use to demonstrate financial responsibility after December 31, 2024.*

Approximately 60 percent of UST owners and operators use the UST Cleanup Fund as a financial responsibility mechanism. The Cleanup Fund will sunset on January 1, 2026, however UST owners and operators will not be permitted to use the Cleanup Fund to demonstrate financial responsibility after **December 31, 2024**. UST owners and operators currently utilizing the Cleanup Fund as a financial responsibility mechanism will be required to provide an alternative financial responsibility mechanism on or before December 31, 2024, for all single wall and double wall UST systems

Owners of aging UST facilities should be cognizant of the 2024 deadline as many insurance providers of UST financial responsibility are reluctant to cover systems over 30 years old; it is recommended that you actively seek alternative financial responsibility options.

For more information regarding financial responsibility requirements, contact: Mr. Austin Lemire-Baeten at SWRCB at (916) 327-5612, or email [Austin.Lemire-Baeten@waterboards.ca.gov](mailto:Austin.Lemire-Baeten@waterboards.ca.gov)

## SB445- Single Walled UST System Closure Provisions

On September 25, 2014, the Governor signed Senate Bill No. 445, which requires the permanent closure of all single-walled USTs in California by December 31, 2025. This also includes single walled product piping.

Underground storage tank program grants and loans are available to assist eligible small businesses with the costs associated with removal, replacement, or tank upgrade projects.

UST owners and operators should be advised that upon UST removal, if a release has occurred, owners/operators may need to undertake corrective action (i.e., investigate and clean up the release). Filing a claim application with the UST Cleanup Fund, completing corrective action, and receiving reimbursement for eligible corrective action costs is a lengthy process. The deadline for submittal of a claim application to the UST Cleanup Fund for reimbursement of eligible costs for corrective action is **December 31, 2024**. The UST Cleanup Fund sunsets on January 1, 2026.

*\*Refer to the [SWRCB](#) website for information regarding the SW UST system closure provisions and details for the Cleanup Fund\**

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*If you have any questions about the information contained in this bulletin, please contact Cecilia Lewallen, UST Program Supervisor at [Cecilia.Lewallen@sdcounty.ca.gov](mailto:Cecilia.Lewallen@sdcounty.ca.gov), or 619-454-9915.*