



COUNTY OF SAN DIEGO CUPA
DEPARTMENT OF ENVIRONMENTAL HEALTH & QUALITY
HAZARDOUS MATERIALS DIVISION
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OFFICE USE ONLY

UPFP # _____

Reviewer _____

Approve Reject

Date: _____

CLAIM OF EXEMPTION FROM UNDERGROUND STORAGE TANK REGULATION AND LAW

PART 1 - GENERAL INFORMATION

FACILITY NAME: _____

FACILITY ADDRESS: _____

Street Number

Street Name

City

Zip Code

PART 2 - TANK OWNER

Name: _____

Mailing Address: _____

City: _____

State: _____

Zip: _____

Phone: () _____

E-Mail: _____

PART 3 - TANK INFORMATION

Name/ID# (if applicable): _____ Construction Materials (steel, fiberglass, concrete, other): _____

Capacity (gallons): _____ Type of Construction (single wall, double wall, other): _____

Tank Location (specify where on the property): _____

PART 4 - CLAIM OF EXEMPTION (CHOOSE 1, 2, 3, 4 OR 5 THEN COMPLETE PARTS 5, 6 & 7.)

1. The tank stores (and has only stored) a non-hazardous substance and is non-regulated.

2. The tank stores or could store a hazardous substance and is exempt pursuant to H&SC Chapter 6.7 §25281(y).
Choose A, B, C, or D.

A. A tank with a capacity of 1,100 gallons or less which is located on a farm and which stores motor vehicle fuel used primarily for agricultural purposes and not for resale.

B. A tank which is located on a farm or at the residence*of a person, which has a capacity of 1,100 gallons or less, and which stores home heating oil for consumptive use on the premises where stored.

*Mark a location:

Single family residence

Dormitory

Multiple family residence

Hotel/Motel/Condotel

Barracks

Other (specify): _____

C. A structure exempted by H&SC §25281(y)(1)(C) (choose one):

sumps

oil field gathering lines

well cellars

separators

refinery pipelines

separation sumps

storm drains

lagoons

lined or unlined pits

catch basins

evaporation ponds

Other: _____

1. Attach additional information/diagrams describing the tanks structure, process, description of materials used or generated in the process, the treatment method, and the method & frequency of filling and emptying the structure.

2. Sumps which are a part of a monitoring system required under H&SC §25291 or §25292 and sumps or other structures defined as underground storage tanks under the federal act are not exempted by this subparagraph.

D. A tank holding hydraulic fluid for a closed loop mechanical system that uses compressed air or hydraulic fluid to operate lifts, elevators, and other similar devices.

Be advised: Structures identified in subparagraphs (C) and (D) may be regulated by the SWRCB and any Regional Board pursuant to the Porter-Cologne Water Quality Control Act (Division 7 (commencing with §13000) of the Water Code) to ensure that they do not pose a threat to water quality.

NOTE: All underground tanks, which store a hazardous substance, must comply with the California Underground Storage Tank Regulations; California Code of Regulations, Title 23 and the California Health and Safety Code, Division 20, Chapter 6.7.

3. **The tank and all associated piping are located in a vault or basement, which meets the requirements of H&SC §25283.5. All of the following criteria must be met:**

(1) All exterior surfaces of the tank, including connected piping, and the floor directly beneath the tank, can be monitored by direct viewing.

(2) The structure in which the tank is located is constructed in such a manner that the structure, at a minimum, provides for secondary containment of the contents of the tank, as determined by the local agency designated pursuant to §25283.

(3) The owner or operator of the underground storage tank conducts weekly inspections of the tank and maintains a log of inspection results for review by the local agency designated pursuant to §25283, as requested by the local agency.

(4) Except as provided in paragraph (5), the local agency designated pursuant to §25283 determines that the underground storage tank meets requirements that are equal to or more stringent than those imposed by this chapter.

(5) If the underground storage tank is installed on or after July 1, 2003, notwithstanding §§25290.1 and 25290.2, the local agency determines the tank meets both of the following:

(A) Requirements that are equal to, or more stringent than, the requirements of paragraphs (1) to (6), inclusive, of subdivision (a) and subdivisions (b) to (i), inclusive, of §25291.

(B) Notwithstanding §25281.5, any portion of a vent line, vapor recovery line, or fill pipe that is beneath the surface of the ground is subject to regulation as a "pipe," as defined in subdivision (m) of §25281.

(b) This section does not prohibit a local fire chief or an enforcement agency, as defined in §16006, from enforcing the applicable provisions of the local or state fire, building, or electrical codes.

4. **The tank or combination of tanks has a cumulative CAPACITY OF 1,100 GALLONS OR LESS OF DIESEL FUEL and is located in a below-grade structure AND CONNECTED TO AN EMERGENCY GENERATOR TANK SYSTEM, as defined in subdivision (c) of §25281.6 All of the following conditions must be met:**

(1) The tank is situated above the surface of the floor in such a way that all of the surfaces of the tank can be visually inspected by either direct viewing, through the use of visual aids, including, but not limited to, mirrors, cameras, or video equipment, or monitored through the use of a continuous leak detection and alarm system capable of detecting unauthorized releases of hazardous substances.

(2) For a single-walled tank, in addition to all the other requirements in this section, the structure, or a separate discrete secondary structure able to contain the entire contents of the liquid stored in the tank, is sealed with a material compatible with the stored product.

(3) The owner or operator of the tank conducts visual inspections of the tank each time the emergency generator tank system is operated, or at least once a month, and maintains a log of inspection dates for review by the local agency.

(b) Nothing in this section excludes an emergency generator tank system from other applicable laws, codes, and regulations.

(c) The exclusion provided by this section does not apply if the board adopts regulations pursuant to §25299.3 that address the design, construction, upgrade, and monitoring of underground storage tanks contained in below-grade structures that are connected to emergency generator tank systems.

5. **The tank is exempt per CCR 2621. Choose A, B, C, D, E or F.**

A. A liquefied petroleum gas tank.

B. A liquid asphalt tank.

C. A septic tank.

D. Tanks containing radioactive material such as spent fuel pools, radioactive waste storage tanks, and similar tanks under the Atomic Energy Act of 1954 (42 USC 2011) and following.

E. An emergency containment tank kept empty to receive accidental spills and approved for such use by the appropriate local agency. Maintain approval letter from local agency at tank location.

F. Underground storage tanks containing hazardous wastes as defined in H&SC §25316 are regulated pursuant to 22 CCR §66265.190 et. al.

PART 5 - Type of substance/chemical composition of all materials *ever* stored in the tank:
(Specify heavy metals if present (e.g., chromium, copper, nickel, etc.).)

PRIOR TO 1/1/84: Substance(s): _____ Chemical Composition (%Weight / %Volume): _____

ON/AFTER 1/1/84: Substance(s): _____ Chemical Composition (%Weight / %Volume): _____

Is the tank: A. Empty B. Unknown C. Tank bottom sludge or liquid remains inside tank

PART 6 - Submit a detailed site map showing the location of the UST and its attached piping. Attach any additional information (e.g., lab analysis, statement of use) to support the claim that the underground storage tank/structure is not regulated or is exempt from the regulations.

The request will be reviewed and either approved or rejected. An approved copy of this claim should be maintained on site available for review during inspection. Attach any additional information (e.g., lab analysis) to support the claim that the underground storage tank/structure is not regulated or is exempt from the regulations.

PART 7 - Certification Statement: I DECLARE UNDER PENALTY OF PERJURY, THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF, THE STATEMENTS HEREIN ARE CORRECT AND TRUE.

Print Name Signature Title

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Telephone Date