



DEPARTMENT OF ENVIRONMENTAL HEALTH AND QUALITY

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******* INFORMATION BULLETIN *******

UPDATE SUMMARY

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UNDERGROUND STORAGE TANK PROGRAM UPDATE

The Hazardous Materials Division recently made operational changes in the Underground Storage Tank (UST) to better assist UST owners and operators in meeting the regulatory requirements. This bulletin outlines the changes and updates that can help UST owners, operators, contractors, consultants, and other parties interested in UST management. If you have any questions about the updates, please contact Cecilia Lewallen, UST Program Supervisor at Cecilia.Lewallen@sdcounty.ca.gov.

"Environmental and public health through leadership, partnership and science"

UST Plan Review & Inspection Fees - effective July 1, 2024

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 2024-2025. [San Diego County Fees](#)

Activity	Fee Code	Fees effective 07/01/2024
New UST Construction		
Installation fee for first tank	6HUNT--EHO	\$2,704
Installation fee for each additional tank	6HUNT--EHO	\$676
Operating permit fee per tank	6HUST--EHO	\$521
UST Upgrade or Repair		
Underground Storage Tank Modification/Upgrade - Base Fee (up to 10 hours)	6HURT1-EHO	\$1,780
Underground Storage Tank Modification/Upgrade - Hourly rate (over 10 hours)	6HURT2-EHO	See hourly rate below
UST Closure		
Underground Storage Tank Closure/Removal - Base Fee (up to 11 hours)	6HUAT--EHO	\$1,957
Underground Storage Tank Closure/Removal - Hourly rate (over 11 hours)	6HUAT--EHO	See hourly rate below
Other Fees		
Consultation fee per hour	6HUCONSEHO	\$197/hour
Plan Re-review	6HUPLANEHO	\$197
UST PC Additional Inspection/Re-inspection ¹	6HUADD-EHO	\$890

¹ Any additional inspections required by HMD will be subject to an additional fee of \$890.00. If you are unsure as to how many inspections are required for a particular project, please contact the Plan Check Technician at (858) 505-6976.

Plan Check Permitting Clarification

Permit NOT REQUIRED:

- » Install / replace test boots
- » Install / replace an automatic shutoff device (flapper valve)
- » Replacement of a spill bucket
- » Removal of a ball float¹
- » Replace like for like sensor

Permit REQUIRED:

- » Retrofit an emergency generator system with a line leak detector (LLD)
- » Buried single wall (SW) product piping that needs repair – required to be upgraded to double wall (DW)
- » Convert an existing tank to E85 (new monitoring equipment required)
- » Repairs for tank / piping / sumps / UDCs
- » Monitoring system software upgrade²
- » Replace/install monitoring panel (i.e. TLS-350, TLS-450, Icon)
- » Relocate monitoring panel
- » Change from PLLD to MLLD or MLLD to PLLD

¹Effective 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.

²Any 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 for more information.

Note – This is not a comprehensive list of project scopes; please contact Veronica Archer at Veronica.Archer@sdcounty.ca.gov for more information. Refer to the [UST Plan Check page](#) for additional information about the Program and Forms*

DIESEL EXHAUST FLUID (DEF) – CUPA PROGRAM APPLICABILITY

Diesel Exhaust Fluid (DEF) is not a hazardous substance as defined in Health and Safety Code, Chapter 6.7, section 25281. If DEF is stored in a below grade structure, it does not meet the definition of a UST and is not subject to Chapter 6.7 (UST Law) or CCR Title 23 (UST Regulations).

DEF is an irritant/sensitizer and may meet the criteria for the raised reporting threshold if the stored volume equals or exceeds 550 gallons per HSC §25507(a)(4)(A). It is required to be included in **Hazardous Materials Business Plan**, and must be reported in CERS as an inventory item and identified on the site map.

CERS Update 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 the UST system information in CERS for the associated facility. The following work scopes are common scenarios that require a CERS update:

New UST Installation

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 is still be subject to other CUPA programs / 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@sdcountry.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 – Audible/Visual Alarm

Overfill prevention equipment that utilize an audible/visual alarm 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.

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 at every 36-month overfill equipment inspection. 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 each UST has a functional overfill prevention device that is independent of the other USTs at the facility. (i.e., installing a separate alarm unit or other appropriate OPE devices for each tank)

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 can be eligible for the overfill prevention exemption if the system meets **all** criteria listed above. UPAs cannot waive the OPE requirement for any UST implementing the secondary containment piping **exemption** per section 2636(a) of Title 23 (SW vent & tank riser piping).

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

SENSOR PLACEMENT

Per CCR Title 23, sections 2630(d) & 2641(a) All monitoring equipment shall be installed and maintained such that the equipment is capable of detecting a leak at the earliest possible opportunity.

Product Pipe monitoring: Consideration should be given to the location of the product piping within the sump and any low points, which would determine the initial accumulation point in the sump. In most systems, a sensor would be placed in the lowest point of the sump on the side where the product piping enters the sump. If the line secondary interstitial space is under vacuum, then the sensor should be placed at the sump low point near the product line. Secondary piping must be open to drain into the sump at all times.

UST monitoring: The UST annular space sensor must be placed at the lowest point of the secondary containment, which is the bottom of the tank.

Under Dispenser Containment (UDC) monitoring: The electronic sensor must be placed at the bottom of the UDC. Mechanical sensors must be functional at all times and free of debris that would prevent the mechanism from operating as designed.

***Note:** Failure to properly maintain monitoring equipment at a position where it is capable of detecting a leak at the earliest possible opportunity, or preventing the drainage of secondary piping contents is a violation.*

Financial Responsibility Update & UST Cleanup Fund Extension

H&SC currently limits the State Water Resources Control Board (State Water Board) from accepting UST Cleanup Fund claim applications after January 1, 2025, and requests for reimbursements of investigation and remediation cost associated with petroleum releases after July 1, 2025. It also prevents UST owners and operators from using the UST Cleanup Fund as a financial responsibility mechanism on or after January 1, 2025.

AB 1115 **extends** the Cleanup Fund and companion programs, including Replacing, Removing or Upgrading (RUST) grants and loans, through **January 1, 2035**. UST owners and operators will also be able to use the UST Cleanup Fund as a financial responsibility mechanism until December 31, 2034.

For questions regarding the UST provisions of AB 1115, please contact Jenna Hartman at (916) 327-8563, or email Jenna.Hartman@waterboards.ca.gov.

ADMINISTRATIVE UPDATE

Operating Permits:

Per CCR Title 23 section 2712 (i), a paper or electronic copy of the UST Operating Permit and all conditions and attachments, including monitoring plans, shall be readily accessible at the facility. UST Operating Permits are issued by the CUPA and expire 5 years from issuance. UST system modifications shall be submitted in CERS within 30 days of any UST changes, including fuel grade changes. Renewed or modified UST Operating Permits will be provided via email to the owner/operator. It is recommended to print the operating permit and stored at the UST facility.

CERS Contacts:

Ensure that all CERS contacts are accurately maintained to ensure that correct personnel are accurately documented, including but not limited to, UST Owner / UST Operator / Environmental contact. Additionally, it is important for facility employees be familiar with the person/entity that is responsible for implementing any corrective action and are to provide the email address for the responsible party to facilitate facility communication and implement corrective actions as needed.

Designated Operator (DO) Inspections & Reports:

The DO visual inspection is required to be completed every 30 days. Within 48 hrs. of the inspection, the DO shall provide a signed copy of the report to the Owner/Operator. Within 72 hrs. of receiving the DO report, the owner/operator shall provide a description of each corrective action taken and sign/date the report. DO reports shall be maintained on-site or off-site at a readily accessible location for 36 months.

SB445- Single Walled UST System Closure Provisions

Single-walled (SW) underground storage tanks (USTs) must be permanently closed by **December 31, 2025**. This requirement includes both SW tanks and non-exempt single-walled piping per California Health and Safety Code, chapter 6.7, section 25292.05.

There are no exemptions, variances, or extensions to the single-walled UST closure deadline. Single-walled UST systems that are not permanently closed by December 31, 2025, will be out of compliance and cannot be operated. Owners and operators cannot avoid enforcement by simply emptying USTs of their contents prior to the deadline. The CUPA will proceed with enforcement actions beginning January 1, 2026. Single-walled UST owners and operators will also be subject to civil penalties of \$500 to \$5,000 per day, per tank, per violation for failure to permanently close by December 31, 2025.

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.

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