

COUNTY OF SAN DIEGO

EFFECTIVE DATE: <u>10/01/2024</u>

RECORD ID #:

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COMPLIANCE INSPECTION REPORT Underground Storage Tank (UST) Program

VIOLATION REPORT: Each violation checked below is for the section(s) of the California Health and Safety Code (HSC), California Code of Regulations (CCR), or the San Diego County Code (SDCC) indicated in italics. All violations must be corrected. Submit documentation of return to compliance to your Specialist. You may use the Corrective Action Form (HM-926) to document your return to compliance. Please call (858) 505-6880 or your Specialist if you have any questions.

	<u>VIOLATION DESCRIPTION</u>
☐ HMD3101	Unified Program Facility Permit not obtained &/or maintained for UST. HSC 25284(a), SDCC 68.904; 68.905; 68.906; 68.907; 68.907.1; 68.1003(a); 68.1005
☐ HMD3103	UST repair/modify/closure permit not obtained from HMD. SDCC 68.1004, 68.1005, 68.1009.5
2030064	Failure to notify the CUPA 48 hours prior to testing or inspection of overfill prevention equipment. 23 CCR 2637(g), 2637.1(f), 2637.2(f), 2638(e), 2643(g), 2644.1(a)(4)
2030021	Failure to obtain a valid operation permit from the CUPA including but not limited to unpaid permit fees. HSC 25284(a)(1); 23 CCR 2711(d); SDCC 68.1003
2030078	Failure to retain a paper or electronic copy of the permit to operate at the facility. 23 CCR 2712(i)
2030039	Failure to comply with any of the applicable requirements of the permit issued for the operation of the UST system. 23 CCR 2712(a)(b)(f)(i)(j)(k)
2060001	Failure to submit as-built plans for the location and orientation of the tanks and appurtenant piping systems for new installations and/or with the permit application. 23 CCR 2635(e)(8)
2010010	Failure to submit a complete and accurate application for a permit to operate a UST, or for renewal of the permit. 23 CCR 2711; HSC 6.7 25284 (c), 25286(c)
2010007	(TCR 11) Failure to submit and maintain complete and current Certification of Financial Responsibility or other mechanism of financial assurance. HSC 25292.2(a), 23 CCR 2711(a)(11)
2030037	Failure to implement or maintain a written agreement between the UST owner and operator. 23 CCR 2620(b); HSC 6.7 25284(a)(3)(A-B)
2010012	Failure to maintain UST records in sufficient detail to enable the CUPA to determine whether the UST systems are in compliance. HSC 25293
2010013	Failure to submit a complete and accurate UST Monitoring Plan. 23 CCR 2632(d)(1), 2634(d), 2641(h)
2010014	Failure to submit a complete and accurate UST Response Plan. 23 CCR 2632(d)(2), 2634(e), 2641(h)
2010015	Failure to maintain a copy of the "Facility Employee Training Certificate" on-site or off-site at a readily available location, if approved by the CUPA. 23 CCR 2715(C)(3-4)
2010016	(TCR 10) Failure to submit the "Underground Storage Tank Statement of Understanding and Compliance Form." 23 CCR 2715(a)(1)(A), 2715(a)(2)
2010017	Failure to submit a copy of the spill containment test results on the "Spill Container Testing Report Form" to the CUPA within 30 days after the test. 23 CCR 2637.1(d), 2637.1(e)
2010018	Failure to submit a copy of the overfill prevention equipment inspection results on the "Overfill Prevention Equipment Inspection Report Form" to the CUPA within 30 days after the inspection. 23 CCR 2637.2(d-e), 2665(a-b)
2030033	Failure to submit and have current UST Monitoring Plan readily accessible at the facility. 23 CCR 2712(i)
2030046	Failure to submit and have a current UST Response Plan readily available on site. 23 CCR 2712(i), 2632(d)(2), 2634(e), 2641(h)
2030041	Failure to submit or maintain a current facility plot plan. 23 CCR 2632(d)(1)(C), 2641(h)
2030002	(TCR 9d) Failure to have a properly qualified service technician test leak detection equipment as required every 12 months (vacuum, pressure, hydrostatic (VPH) system, sensors, line-leak detectors (LLD), automatic tank gauge (ATG), etc.). 23 CCR 2638(a)(b), 2641(j), 2715(f). Failure to submit the "Monitoring System Certification Form" to the CUPA within 30 days of completion of the test. 23 CCR 2638(c-d)
2030003	Failure of the leak detection equipment to have an audible and visual alarm as required. 23 CCR 2632(c)(2)(B), 2634(d)(1)(A), 2636(f)(1)
2060002	(TCR 9d) Failure to outfit the single-walled UST system with a monitoring system capable of detecting a leak. HSC 25292(a); 23 CCR 2641(e)
2010003	(TCR 10) Failure to submit the "Designated Underground Storage Tank Operator Identification Form" within 30 days of installing a UST system or within 30 days of a change in DO. 23 CCR 2715(a)(1)(B), 2715(a)(3)
2010009	Failure to submit a copy of the secondary containment test results on the "Secondary Containment Testing Report Form" to the CUPA within 30 days after the test. 23 CCR 2637(e-f)
2030048	(TCR 9d) Failure to conduct secondary containment testing, or one or more of the following requirements: 1) Perform the test of the secondary containment system upon installation, within six months of installation, and every 36 months thereafter. 2) Perform the test of a secondary containment component within 30 days of a repair or discontinuing vacuum, pressure or hydrostatic monitoring. 3) Use a procedure that demonstrates the system works as well as at installation. 4) Use applicable manufacturer guidelines, industry codes, engineering standards, or professional engineer approval. 5) Performed by a certified service technician. 6) Maintain records of secondary containment testing for 36 months. 23 CCR 2637(a-d), 2712(b)(1)(F)
2030034	Failure to properly affix tag/sticker on each piece of monitoring equipment being certified, repaired, or replaced. 23 CCR 2638(f)
2030044	Owner/operator deposited or allowed deposit of petroleum or a hazardous substance into a UST that has a red tag affixed to the fill pipe. 23 CCR 16 2717.1(f), HSC 6.7 25292.3(c)
2030047	Failure to maintain secondary containment (e.g. failure of secondary containment testing). HSC 25291(a)(2); 25290.1(c), 25290.1(e), 25290.2(c)
2030079	Owner/Operator allowed dispensing of petroleum or a hazardous substance from a UST that has a red tag affixed to the fill pipe. HSC 6.7 25292.3(c)(1)(C)
2030077	(TCR 9d) Failure to notify the CUPA within 24 hours upon discovery of a reportable unauthorized release or failure to prepare a report within five working days. HSC 6.7 25295(a)(1); 23 CCR 2650(e), 2652(b)
2030061	Failure to record any unauthorized release from the primary containment. HSC 6.7 25294
2010005	Failure to submit enhanced leak detection testing results to the board and the CUPA within 60 days of completion of the test. 23 CCR 2644.1(a)(5)
2030068	Failure to conduct the required initial or periodic enhanced leak detection (ELD) test for UST systems located within 1,000 feet of a public drinking water well. HSC 25292.4(a), 25292.5(a); 23 CCR 2640(e), 2644.1(a) Failure to perform enhanced leak detection testing before the tank is placed in use. HSC 25290.1(j)
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2010008	Failure to maintain records of repairs, linings, and upgrades on site, or off site if approved by the CUPA, for the life of the UST. 23 CCR 16 2712(b)(6)
2030062	(TCR 9d) Leak detection equipment disabled or tampered with in a manner that would prevent the monitoring system from detecting and/or alerting the owner/operator of a leak. HSC 25299(a)(9); 23 CCR 2630(d) Owner/operator made false statements, representation, or certification on an application, record, or other document. HSC 25299(a)(8), 25299(b)(7)
2030043 2010004	 (TCR 9d) Failure of the leak detection equipment to be installed, calibrated, operated, and/or maintained in accordance with manufacturer's instructions. 23 CCR 2638(a), 2641(j) (TCR 12) Failure to maintain on-site, or off-site at a readily available location if approved by the CUPA, copies of Designated Operator inspection records as follows: Designated operator monthly inspection records for inspections performed before October 1, 2018 must be kept for 12 months from the month of inspection. For inspections performed on or after October 1, 2018, copies of the "Designated Underground Storage Tank Operator
	Visual Inspection Report" must be kept for 36 months from the month of inspection. 23 CCR 2716(f)



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UST Program (continued)

2030012	Failure to comply with one or more of the following: 1) Provide initial training before the individual performs the duties of a facility employee. 2) Train facility employees in the proper operation and maintenance of the underground storage tank system at least once every 12 months. 3) Have at least one facility employee present during operating hours that has been trained in the proper operation and maintenance of the UST system by a
2030013	designated operator (DO). 23 CCR 2715(c), 2715(c)(1), 2715(c)(2) (TCR 12) Failure to comply with one or more of the following Designated Operator (DO) inspection requirements: 1) Conduct the DO visual inspection at least once every 30 days. 2) Be performed by an ICC certified DO. 3) Inspect monthly alarm history report, check that alarms are documented and responded to appropriately, and attach a copy. 4) Inspect for the presence of liquid/debris in spill containers. 5) Inspect for the presence of liquid/debris in under dispenser containment (UDC) and ensure that the monitoring equipment is positioned correctly. 6) Inspect for liquid or debris in containment sumps where an alarm occurred with no service visit. 7) Check that all testing and maintenance has been completed and documented. 8) Verify that all facility employees have been trained in accordance with 23 CCR 2715(c). 9) The owner/operator sign and date the Designated Underground Storage Tank Operator Visual Inspection Report within 72 hours of being provided a signed copy. 23 CCR 2716 (a-e)
2030015 2030035	Failure to demonstrate to the CUPA that the equipment and methods used to monitor the UST system are certified by an independent third-party as complying with the standards set forth in 23 CCR 2643(f). 23 CCR 16 2630(d), 2643(f), 2644.1(a)(2) Failure to operate the UST system to prevent unauthorized releases including leaks, spills, and/or overfills. HSC 25292.1(a)
2030073	Failure to implement the corrections specified in the inspection report within 30 days of receiving an inspection report from either the CUPA or special inspector. 23 CCR 16 2712(f)
2030066 2030032	Failure to take appropriate action to repair and retest any leaking UST component which is discovered from an enhanced leak detection (ELD) test for UST systems located within 1,000 feet of a public drinking water well. HSC 25292.4(d), 25292.5(c) Failure to meet one or more of the following requirements for exclusion of unburied fuel delivery piping at a marina: 1) Conduct daily inspections of the
	piping. 2) Maintains a log of inspection results for review by the UPA. HSC 6.7 25281.5(b)(2)
	<u>UST TANK (DW/SW) - REQUIREMENT</u>
□ 2020004	VIOLATION DESCRIPTION (75D 0.1) 5 il constitution del violation del vio
2030001 2030059	(TCR 9d) Failure to maintain monitoring and maintenance records for 36 months and records pertaining to the release detection system, such as written performance claims, calibration, and maintenance records for at least 60 months. 23 CCR 2712(b)(1-2) Failure to meet the conditions required to exempt an emergency tank system in a below-grade structure from UST regulations. HSC 25281.6(a)
2060005	Failure of the UST system to be designed and constructed with a monitoring system capable of detecting the entry of the hazardous substance into the secondary containment. HSC 25291(b), 23 CCR 2636(a)
2060007	Failure of primary or integral secondary containment to be approved for use by an independent testing organization or failure of non integral secondary containment to be designed and constructed to an engineering specification approved by a registered professional engineer or in accordance with a nationally recognized industry code or engineering standard. 23 CCR 2631(b), 2631(d), 2666(b)(2), 2666(e)(2)
2030007	Failure to submit and/or maintain documentation regarding positive statement of compatibility for UST system components. 23 CCR 2631(I), 2631(j), 2631.1(b), 2640.1, 2711(c), 2712(b)(5)
2030036	(TCR 9b)Failure to comply with one or more of the following overfill prevention equipment requirements: 1) Alert the transfer operator when the tank is 90 percent full by restricting the flow into the tank or triggering an audible and visual alarm; or 2) Restrict delivery of flow to the tank at least 30 minutes before the tank overfills, provided the restriction occurs when the tank is filled to no more than 95 percent of capacity; and activate an audible alarm at least five minutes before the tank overfills; or 3) Provide positive shut-off of flow to the tank when the tank is filled to no more than 95 percent of capacity; or 4) Provide positive shut-off of flow to the tank one of the fittings located on the top of the tank are exposed to product due to overfilling. 5) Install/retrofit overfill prevention equipment that does not use flow restrictors on vent piping to meet overfill prevention equipment requirements when the overfill prevention equipment is installed, repaired, or replaced on and after October 1, 2018. 6) Perform an inspection at least once every 36 months, at installation and every 36 months thereafter. 7) Inspected within 30 days after a repair to the overfill prevention equipment. 8) Inspected using an applicable manufacturer guidelines, industry codes, engineering standards, or a method approved by a professional engineer. 9) Inspected by a certified UST service technician. 10) Maintain records of overfill prevention equipment inspection for 36 months. 23 CCR 2635(c)(1), 2635(d), 2637.2(a-c), 2665, 2712(b)(1)(G)
2060020	(TCR 9a) Failure to meet one or more of the following requirements: 1) Install or maintain a liquid-tight spill container. 2) Have a minimum capacity of 5 gallons. 3) Have a functional drain valve or other method for the removal of liquid from the spill container. 4) Be resistant to galvanic corrosion. 5) Perform a tightness test at installation, every 12 months thereafter, or within 30 days after a repair to the spill container. 6) Tested using applicable manufacturer guidelines, industry codes, engineering standards, or a method approved by a professional engineer. 7) Tested by a certified UST service technician. 8) Maintain records of spill containment testing for 36 months. 23 CCR 2635(b), 2637.1(a-c), 2665(a-b), 2712(b)(1)(F); HSC 25284.2
2030008	Failure to keep water out of the secondary containment of UST systems installed on or after July 1, 2003. HSC 25290.1(c)(3), 25290.2(c)(3)
2060015	(TCR 9d) Failure of leak detection equipment to be installed, maintained and located such that the equipment is capable of detecting a leak at the earliest possible opportunity. 23 CCR 2630(d), 2641(a)
2030016	(TCR 9d) Failure to continuously monitor the interstitial space of a double-walled tank with an audible and visual alarm system. 23 CCR 2631(g), 2632(c) (2)(A-B)
2030017	(TCR 9d) Failure to meet one or more of the following monitoring requirements in lieu of the requirement to be tightness tested every 12 months: 1) The monitoring system maintains all product piping outside the dispenser to be fail-safe and shut down the pump when a leak is detected. 2) The monitoring system shuts down the pump or stops flow when a leak is detected in the under dispenser containment (UDC). 23 CCR 2636(f) (TCR 9d) Failure to conduct groundwater and/or vadose zone monitoring or maintain site assessment as required. 23 CCR 2647(a), 2648(a), 2712(b)(4)
2030022 2030029	(TCR 9c) Failure to complete one or more of the requirements of tank lining, including but not limited to: 1) Submit proper written tank lining
	certification to the CUPA within 30 days of completion of the inspection. 2) Perform tank integrity test and/or vacuum test following lining, employ proper coatings expert and/or special inspector. 3) Failure to inspect a steel tank which has been lined or repaired using the interior lining method within 120 months of lining and every 60 months thereafter. 4) Maintain records for the life of the tank. 23 CCR 2663, 2712(b)(6)
2060024	UST system is not made of or lined with materials that are compatible with the substance stored in the underground storage tank system. 23 CCR 2631.1, 2660(m); HSC 25290.1(c)(1), 25290.2(c)(1), 25291(a)(1)
2030040	(TCR 9d) Failure to maintain secondarily contained piping to allow liquid in the event of a leak to drain into sump (i.e. failure to remove test boot, pipe swelling). 23 CCR 2630(d), 2641(a)
2060022	Failure of UST system installed on or after July 1, 2003 and before July 1, 2004 to comply with one or more of the following: be designed and constructed with a monitoring system capable of detecting the entry of the hazardous substance stored in the primary containment into the secondary containment and/or capable of detecting water intrusion into the secondary containment. HSC 25290.2(d); 23 CCR 2630(d)
2030065	(TCR9d) Failure to maintain the interstitial space such that a breach in the primary or secondary containment is detected before the liquid or vapor phase of the hazardous substance stored in the UST tank is released into the environment, i.e., vacuum, pressure, hydrostatic (VPH) monitoring. HSC 25290.1(e); 23 CCR 2630(d)
2060023	Failure of a UST system installed on or after July 1, 2004 to be designed and constructed with a monitoring system capable of detecting the entry of the liquid or vapor-phase of the hazardous substance stored in the primary containment into the secondary containment and capable of detecting water intrusion into the secondary containment. HSC 25290.1(d); 23 CCR 2630(d)
2060029	Failure to upgrade single-walled pipe to double-walled continuous interstitially monitored pipe when replacement or repair is required. 23 CCR 2666(b) (2)

UST TANK (SW) REQUIREMENTS



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UST Program (continued)

	2030005	(TCR 9d) Option 1: Failure of the continuous in-tank leak detection (CITLD) system to perform a 0.2 gallon-per-hour leak test that determines the leak status of the tank at least once every 30 days. 23CCR 2643(b)(3)	
	2030006	(TCR 9d) Option 1: Failure of the automatic tank gauging (ATG) system to perform valid 0.2 gallon-per-hour leak tests or generate hard-copy test reports at least once every 30 days. 23 CCR 2643(b)(1)	
	2030056	Option 2: Failure to submit the statistical inventory reconciliation (SIR) Report every 12 months to the CUPA. 23 CCR 2646.1(j)	
	2030057	Option 2: When statistical inventory reconciliation results indicate failure or inconclusive, owner/operator failed to complete one or more of the following: 1) Notify CUPA of a possible release within 24 hours; 2) Submit copy of the report to the CUPA within 10 days; 3) Inspect records for errors; 4) Physically inspect the UST system within 24 hours; 5) Have meters recalibrated within 48 hours of receipt of report. 23 CCR 2646.1(d) (TCR 9d) Option 2: Failure to meet one or more of the requirements of SIR, including but not limited to: 1) Measurements taken daily, 2) Calculated every 30 days, 3) Capable of detecting a 0.2 gallon per hour release, 4) Report a quantitative leak rate using a threshold value that does not exceed one-half the minimum detectable leak rate, 5) Conduct a tank integrity test every 24 months, 6) Conduct piping and/or tank test within 15 days of	
		receipt of two successive SIR reports which are inconclusive or which indicate a possible release, 7) And/or calibrate dispenser meters. 23 CCR 2643(b)(2), 2646.1(a-h) (j-k)	
		UST PRESSURIZED PIPING (DW) REQUIREMENTS	
#	2030018	VIOLATION DESCRIPTION (TCR 0d) Eather of the double walled processized piging to be continuously monitored with a system that activates an audible and visual alarm or stone.	
		(TCR 9d) Failure of the double-walled pressurized piping to be continuously monitored with a system that activates an audible and visual alarm or stops flow at dispenser when a leak is detected. 23 CCR 2636(f)(1)	
	2030025	(TCR 9d) Failure of the line leak detector (LLD) monitoring pressurized piping to meet one or more of the following requirements: 1) Monitored with the capability of detecting a release of 3.0 gallons per hour leak at 10 pounds per square inch within an hour. 2) Restrict or shut off the flow of product through the piping when a leak is detected. 23 CCR 2636(f)(2)	
	2030075	(TCR 9d) Failure of the functional line leak detector (LLD) for emergency tank systems to monitor with the capability of detecting a release of 3.0 gallons per hour leak at 10 pounds per square inch within an hour and restrict or shut off the flow of product through the piping or triggers a visual and audible alarm. 23 CCR 2636(f), 2666(c) and (f)	
	2030076	Failure to meet the conditions required to exempt a tank system located in a below-grade structure from UST regulations. HSC 6.7 25283.5(a)	
	2060012	(TCR 9d) Failure to install a line leak detector (LLD). 23 CCR 2636(f)(2), 2636(f)(5)(B), 2643(c)(1), 2666(f); HSC 25290.1(h), 25290.2(g), 25291(f), 25292(e)	
	2030042	(TCR 9d) Option 1: Failure to perform one of the following line integrity test(s): 1) A 12 month test for pressurized double-walled piping that does not utilize fail safe and positive shut down or 2) Within 30 days of the date of the completion of a repair to the primary piping. 23 CCR 2636(f)(4)(3); 2643(c)(3); HSC 25290.2(g), 25291(f), 25292(e)	
	2030020	Option 3: Failure to meet one or more exemption requirements for emergency tank system unburied fuel piping: 1) Conduct daily visual inspections each time the tank is operated but no less than monthly. 2) Maintain a log of inspection results for review by the CUPA. HSC 6.7 25281.5(b)(3)	
		UST PRESSURIZED PIPING (SW) REQUIREMENTS	
#		<u>VIOLATION DESCRIPTION</u>	
	2030027 2030052	(TCR 9d) Failure of the line leak detector (LLD) monitoring single-walled pressurized piping to meet the following requirements: 1) Monitored at least hourly with the capability of detecting a release of 3.0 gallons per hour leak at 10 pounds per square inch. 2) Shut down the pump when a leak is detected or when the LLD fails or is disconnected. 23 CCR 2666(c), 2643(c)(1) (TCR 9d) Option 3: Failure to perform one or more of the following on a single-walled pressurized piping system: 1) A 0.1 gallons per hour test at least	
	2030053	once every 12 months unless a 0.2 gallons per hour test is performed every 30 days. 2) A 0.1 gallons per hour test within 30 days of the date of the completion of a repair to the piping. 23 CCR 2643(c)(2-3), 2661(f); HSC 25292(e)(2) (TCR 9d) Option 3: Piping fails to meet one or more of the following requirements: 1) Below grade piping sloped to drain back into storage tank if the suction is released; 2) Only one check valve on the piping located directly below the suction pump; 3) Inspection method which readily demonstrates compliance. 23 CCR 2636(a)(3) 2641(b)	
		UST PIPING (SW) REQUIREMENTS - CONVENTIONAL SUCTION	
#		<u>VIOLATION DESCRIPTION</u>	
	2030050 2030049	(TCR 9d) Failure to conduct 0.1 gallon per hour piping integrity test at any of the following times: Every 36 months. Within 30 days of the date of the completion of a repair to the piping. 23 CCR 2643(d), 2661(f) (TCR 9d) Failure to conduct monitoring and maintain written records. 23 CCR 2643(d)	
UST PIPING (SW) REQUIREMENTS - GRAVITY			
#		VIOLATION DESCRIPTION	
	2030051	(TCR 9d) Failure to conduct 0.1 gallon per hour line piping integrity test at any one of the following times: 1) Every 24 months. 2) Within 30 days of the date of completion of a repair of the piping. 23 CCR 2643(e), 2661(f)	
		<u>UST SYSTEM - CATHODIC PROTECTION REQUIREMENTS</u>	
#	_	VIOLATION DESCRIPTION	
	2030009	(TCR 9c) Failure to comply with one or more of the following requirements for the cathodic protection system: 1) Install corrosion protection for USTs and/or the field-installed cathodic protection system to meet the consensus standards. 2) For impressed current: Have corrosion protection equipment turned on and functioning properly and inspect the impressed-current system every 60 days. Test the impressed-current system within six months of installation or repair and at least every 36 months thereafter. 3) For sacrificial anodes: Check sacrificial anodes within six months of installation or repair and at least once every 36 months thereafter in accordance with the manufacturer's instructions. 4) For all corrosion protection systems: Maintain records for 78 months on-site or off-site at a readily available location if approved by the CUPA. 23 CCR 2635(a)(2), 2636(b), 2662(c)(1)(B), 2712(b)(3)	
<u>UST SYSTEM - CLOSURE</u>			
#	_	VIOLATION DESCRIPTION	
	2030063	Failure to comply with temporary closure requirements. HSC 25298; 23 CCR 2670(b)(d-j), 2671(a-e)	
	2030038	Failure to comply with all permanent closure requirements. HSC 25298; 23 CCR 2670(c-j), 2672(a-e)	
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