

HAZARDOUS MATERIALS STORAGE PROGRAM VIOLATION CODES UNDERGROUND STORAGE TANKS

*Authority Cited: Health and Safety Code (HSC); California Code of Regulations, Title 23, Div. 3, Chapter 16 (CCR);
Santa Clara County Ordinance Code, Div. B11 (SCCO)*

This document has been prepared to explain Violation Codes associated with hazardous materials underground storage tank (UST) systems which may have been noted in the attached Santa Clara County Hazardous Materials Compliance Division (HMCD) Official Notice of Inspection. The sections of State Law and local ordinance corresponding to each Violation Code have been **briefly** described. Santa Clara County Ordinance Code is available at www.EHinfo.org/hazmat, Health and Safety Code at www.leginfo.ca.gov/calaw.html, and Title 23 CCR at www.calregs.com. State Water Resources Control Board (SWRCB) Local Guidance (LG) Letters are online at www.waterboards.ca.gov/water_issues/programs/ust/leak_prevention/lgs/index.shtml. If you would like to discuss any interpretations of these laws or regulations, please call HMCD at (408) 918-3400 and ask for the Hazardous Materials Program Manager.

A. General UST Requirements

V	N/A	Violation Code (VC)	Regulatory Citation	
<input type="checkbox"/>	<input type="checkbox"/>	U000	HSC §§ 25284(a)(1) 25284(c) 25287(a) SCCO § B11-424(a)	UST Permit – A facility that owns or operates a UST must apply for a UST Permit to Operate from HMCD within 30 days of assuming ownership of the tanks and pay applicable UST fees. A copy of the permit must be retained at the UST facility. Completion and submittal of <u>Unified Program Consolidated Form (UPCF) UST Operating Permit Application</u> Facility and Tank pages along with a new or revised Hazardous Materials Business Plan, written UST Monitoring Plan, and written UST Response Plan satisfies permit application requirements. Forms are available at www.EHinfo.org/hazmat .
<input type="checkbox"/>	<input type="checkbox"/>	U002	HSC §§ 25284(a)(3)(C) 25286(a) 25286(d)	UST Permit Amendment – The UST permit holder must notify HMCD within 30 calendar days of a change in permit information (e.g., change in operator, substance stored, monitoring methods).
<input type="checkbox"/>	<input type="checkbox"/>	U010	HSC § 25284(a)(3)(A) & (B) CCR § 2620(b)	Agreement Between Permit Holder and Operator – The UST permit holder must enter into a written agreement with the UST operator requiring the operator to comply with applicable provisions of the UST Permit to Operate.
<input type="checkbox"/>	<input type="checkbox"/>	U015	CCR § 2632(d)(1) 2641(h)	UST Monitoring Plan – The facility must submit and keep current a <u>Unified Program Consolidated Form (UPCF) UST Monitoring Plan</u> (available at www.EHinfo.org/hazmat) and a plot plan showing the tank system layout including locations of monitoring consoles, leak sensors/probes, and line leak detectors. Keep a copy of the current documents on-site.
<input type="checkbox"/>	<input type="checkbox"/>	U020	CCR § 2632(d)(2) 2641(h)	UST Response Plan – The facility must submit and keep current a written plan that demonstrates, to the satisfaction of HMCD, how an unauthorized release will be handled (i.e., controlling the leak or spill, reporting, cleanup, etc.). You may use the <u>UST Response Plan</u> form (available at www.EHinfo.org/hazmat) or another format, as long as it contains equivalent content. Keep a copy of the current plan on-site.

V	N/A	Violation Code (VC)	Regulatory Citation	
<input type="checkbox"/>	<input type="checkbox"/>	U025	HSC § 25292.2(a) CCR § 2806(a)	<p>UST Financial Responsibility – Except for state and federal government facilities, owners/operators of petroleum USTs must maintain evidence of financial responsibility for taking corrective action and for compensating third parties for bodily injury and property damage caused by a release. This is accomplished through:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Completion and submittal of a <u>Certification of Financial Responsibility for USTs Containing Petroleum</u> (CFR) form or equivalent; <input type="checkbox"/> Maintenance of the current copy of the CFR form and all required supporting documentation (e.g., letters from chief financial officer, certificates of deposit, insurance policies, etc.) at the UST site or the UST owner/operator’s place of business; <input type="checkbox"/> Updating annually, within 150 days after the close of each fiscal year, the Chief Financial Officer (CFO) letter if the State UST Cleanup Fund is used as a financial responsibility mechanism; <input type="checkbox"/> Updating annually, within 120 days after the close of each financial reporting year, the CFO letter for the following financial responsibility mechanisms, if used: financial test of self-insurance, guarantee, or local government financial test; <input type="checkbox"/> Ensuring any insurance policy used as a financial responsibility mechanism, contains endorsement language meeting the requirements of 40 CFR §280.97. <p>The CFR form and a <u>Petroleum UST Financial Responsibility Guide</u> are available at www.EHinfo.org/hazmat.</p>
<input type="checkbox"/>	<input type="checkbox"/>	U030	CCR § 2715(a)	<p>DUSTO Identification + Statement of Compliance – The UST owner must submit a signed statement to HMCD indicating that the owner understands and is in compliance with all applicable UST requirements and identifying all Designated UST Operators (DUSTO) for the facility. Each DUSTO must be certified by the International Code Council (ICC) as a “California UST System Operator” and renew their certification every 24 months. ICC professional certifications can be verified at www.iccsafe.org/CertSearch. The <u>UST System Owner Statement of Designated UST Operator and Understanding of and Compliance With UST Requirements</u> form is available at www.EHinfo.org/hazmat.</p>
<input type="checkbox"/>	<input type="checkbox"/>	U032	CCR § 2715(a)	<p>DUSTO Change – The UST owner must inform HMCD within 30 days of a change in the facility's Designated UST Operator(s).</p>
<input type="checkbox"/>	<input type="checkbox"/>	U034	CCR § 2715(c) & (e)	<p>DUSTO Monthly Inspections – The UST owner/operator must ensure that a Designated UST Operator with current “California UST System Operator” certification performs and documents visual inspections of the UST systems at least once each month. Inspections can be documented by properly completing all items on the <u>UST System Designated UST Operator Monthly Inspection Report</u> form, available at www.EHinfo.org/hazmat. Copies of inspection records and required attachments for the previous 12 months must be kept on-site.</p>
<input type="checkbox"/>	<input type="checkbox"/>	U036	CCR § 2715(f)	<p>DUSTO Training for Facility Employees – The UST owner/operator must ensure that a Designated UST Operator performs and documents training of all facility employees with UST responsibilities every 12 months in the following areas, as applicable:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Operation of the UST(s) in a manner consistent with the facility’s best management practices; <input type="checkbox"/> The employee's role with regard to required UST monitoring equipment; <input type="checkbox"/> The employee's role with regard to UST spills and overfills; <input type="checkbox"/> The name(s) of the contact person(s) for emergencies and UST leak alarms. <ul style="list-style-type: none"> <input type="checkbox"/> New employees must be trained within 30 days of the date of hire; <input type="checkbox"/> A list of trained facility employees must be maintained on-site and provided to HMCD upon request. The list must include the dates of training for all employees and the hiring date of each employee hired on or after 7/1/2005. A <u>UST System Designated Operator Facility Employee Training Record</u> form is available at www.EHinfo.org/hazmat.

V	N/A	Violation Code (VC)	Regulatory Citation	
<input type="checkbox"/>	<input type="checkbox"/>	U040	CCR § 2715(f)(2)	Trained Employee Not Onsite – The UST owner/operator must ensure that at least one employee with current UST training from the facility's Designated UST Operator is on-site during all operating hours.
<input type="checkbox"/>	<input type="checkbox"/>	U050	HSC § 25293	Record Keeping: General – Records of monitoring, testing, repairs, and closure must be maintained in sufficient detail to enable HMCD to determine if UST systems are in compliance with regulatory requirements and permit conditions.
<input type="checkbox"/>	<input type="checkbox"/>	U052	CCR § 2712(b)	<p>Record Keeping: Monitoring and Maintenance Records – Written monitoring records must include:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Monitoring equipment calibration and maintenance records, including <u>Monitoring System Certification</u> forms; <input type="checkbox"/> The date and time of all monitoring or sampling; <input type="checkbox"/> Results of any visual observations; <input type="checkbox"/> Results of all sample analyses performed in a laboratory or in the field, including laboratory data sheets and analysis used. <p>Monitoring records must be maintained on-site for the following minimum periods:</p> <ul style="list-style-type: none"> <input type="checkbox"/> 3 years for monitoring and maintenance records; <input type="checkbox"/> 5 years for written performance claims pertaining to release detection systems and calibration/maintenance records for such systems; <input type="checkbox"/> 6½ years for cathodic protection maintenance records.
<input type="checkbox"/>	<input type="checkbox"/>	U054	HSC § 25294	<p>Record Keeping: Unauthorized Releases – The UST operator must record in the facility's monitoring records all releases from UST primary containment. A recordable unauthorized release is one that:</p> <ul style="list-style-type: none"> ◦ Does not escape from secondary containment; and ◦ Is cleaned up within 8 hours after it was detected or reasonably should have been detected; and ◦ Results in no increase in the possibility of fire or explosion; and ◦ Does not cause any deterioration of the secondary containment.
<input type="checkbox"/>	<input type="checkbox"/>	U060	HSC § 25295 23 CCR § 2650(e)	<p>Reporting: Unauthorized Releases – The UST operator must notify HMCD of any reportable release from a UST system. Such releases must be reported to HMCD within 24 hours after the release is detected or reasonably should have been detected. Reportable releases include spills or overfills during tank filling; and any release which does not meet the requirements of a recordable release as described above. State law requires that a <u>UST Unauthorized Release (Leak)/Contamination Site Report</u> be submitted to HMCD within 5 working days of the release. The form, available at www.EHinfo.org/hazmat, must describe:</p> <ul style="list-style-type: none"> ◦ The nature and volume of the release; and ◦ Any corrective or remedial actions already taken; and ◦ Any further corrective or remedial actions, including investigative actions, proposed to be taken to clean up the release and abate its effects, including a time schedule for implementation of those actions.
<input type="checkbox"/>	<input type="checkbox"/>	U070	HSC §§ 25299(a)(8) 25299(b)(7)	False Statements – The UST owner/operator must not make a false statement, representation, or certification in an application, record, report, or other document submitted or required to be maintained pursuant to State UST law or regulations.
<input type="checkbox"/>	<input type="checkbox"/>	U080	HSC § 25292.1(a)	Unsafe UST Operation – USTs must be operated to prevent any unauthorized releases, including spills and overfills.

B. Monitoring

V	N/A	Violation Code (VC)	Regulatory Citation	
<input type="checkbox"/>	<input type="checkbox"/>	U100	CCR §§ 2630(d) 2641(a)	Monitoring: Detection at Earliest Opportunity – Monitoring equipment must be installed and maintained so as to be capable of detecting a leak from all portions of the UST system at the earliest possible opportunity.
<input type="checkbox"/>	<input type="checkbox"/>	U105	HSC § 25299(f)(2)	Tampering With Monitoring Equipment – UST leak detection equipment must not be disabled or tampered with in a manner that prevents the system from detecting a leak or alerting the UST owner/operator to a leak.
<input type="checkbox"/>	<input type="checkbox"/>	U110	CCR § 2632(b)	New Tank System Monitoring: Interstitial – Facility must provide a UST monitoring system that can detect leaks of hazardous materials from primary containment into secondary containment, detect water intrusion into secondary containment, and trigger audible and visual alarms.
<input type="checkbox"/>	<input type="checkbox"/>	U115	HSC § 25290.1(e)	New Tank System Monitoring: VPH – Each UST system installed on or after 7/1/2004 must be equipped with approved vacuum, pressure, or hydrostatic (VPH) interstitial monitoring.
<input type="checkbox"/>	<input type="checkbox"/>	U125	CCR § 2643(b)(1)	<p>Existing Tank Monitoring: ATG – Automatic Tank Gauging equipment must be capable of detecting a release of 0.2 g.p.h. (gallon per hour) and:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Perform a valid test at least once each month, after product delivery or when the UST is filled to within 10% of the highest operating level during the previous month; <input type="checkbox"/> Generate a hard copy of all data reported, including: Time and date; Tank identification; Fuel depth; Water depth; Temperature; Liquid volume; Duration of the test; Calculated leak rate and leak threshold; <input type="checkbox"/> Be in accordance with values published in SWRCB Local Guidance Letter LG-113.
<input type="checkbox"/>	<input type="checkbox"/>	U130	CCR § 2643(b)(5)	Existing Tank Monitoring: CITLD – Continuous In-Tank Leak Detection equipment must be properly programmed and operated in a manner consistent with the manufacturer's instructions and conditions specified in the equipment approval published in SWRCB Local Guidance Letter LG-113.
<input type="checkbox"/>	<input type="checkbox"/>	U160	CCR §§ 2632(b) 2636(f)(1)	Pipe Monitoring: Interstitial – UST piping secondary containment and under-dispenser-containment (UDC) must be equipped with a continuous interstitial monitoring system that either activates audible and visual alarms or stops the flow of product at the dispenser when it detects a leak.
<input type="checkbox"/>	<input type="checkbox"/>	U165	HSC § 25290.1(e)	Pipe Monitoring: VPH – Double-walled piping in a UST system installed on or after 7/1/2004 must be equipped with approved vacuum, pressure, or hydrostatic (VPH) interstitial monitoring.
<input type="checkbox"/>	<input type="checkbox"/>	U170	HSC §§ 25290.1(h) 25290.2(g) 25291(f) 25292(e)(1) 25292(e)(2) CCR § 2636(f)(2)	<p>Pipe Monitoring: Pressurized Double-Wall Piping Line Leak Detector – Pressurized piping with secondary containment must be equipped with an approved line leak detector (LLD) that monitors pressure in the primary pipe and restricts or shuts off the flow of product through the pipe when a leak of 3 gallons per hour at 10 p.s.i. is detected.</p> <p><i>[Exception: Emergency generator tank systems (EGTS) equipped with a continuous monitoring system that activates audible and visual alarms in the event of a leak or a malfunction of the monitoring system may be exempted from the LLD requirement provided that daily visual checks of the monitoring system are performed and documented as described in VC 510, below.]</i></p>

V	N/A	Violation Code (VC)	Regulatory Citation
<input type="checkbox"/>	<input type="checkbox"/>	U180	HSC §§ 25290.2(g) 25291(f) 25292(e)(1) 25292(e)(2) CCR § 2636(f)(4)

Pipe Monitoring: Pressurized Piping Tightness Testing – Underground pressurized piping in UST systems installed prior to 7/1/2004 must be tested annually using a State-approved test method capable of detecting a 0.1 gallon per hour leak at 150% of normal system operating pressure. Tests may be performed by a State-licensed tank tester or an approved electronic line leak detector (ELLD).

[Exception: Tightness testing is not required if the piping system is monitored by a continuous monitoring system which meets both of the following requirements: The monitoring system shuts down the pump or stop the flow of product at the dispenser when a leak is detected in the under-dispenser containment (UDC); and The monitoring system for all product piping other than that contained in the UDC is fail safe and shuts down the pump when a leak is detected or the continuous monitoring equipment fails or is disconnected.]

C. Equipment Testing

V	N/A	Violation Code (VC)	Regulatory Citation
<input type="checkbox"/>	<input type="checkbox"/>	U200	CCR §§ 2637(f) 2638(e) 2643(g) 2644.1(a)(4) SCCO § B11-290(g)
<input type="checkbox"/>	<input type="checkbox"/>	U202	CCR §§ 2637(e) 2638(d) 2643(g) 2644.1(a)(5) 2663(h) SCCO § B11-290(f)
<input type="checkbox"/>	<input type="checkbox"/>	U210	CCR § 2638(a)
<input type="checkbox"/>	<input type="checkbox"/>	U220	HSC § 25284.2
<input type="checkbox"/>	<input type="checkbox"/>	U230	CCR § 2637

Notification of UST Equipment Testing – HMCD must be notified in advance of UST equipment testing. Provide notice 14 calendar days in advance of monitoring system certification testing to be performed in unincorporated areas of the county. Provide notice two working days in advance of annual monitoring system certification testing to be performed within city limits. Two working days notice is also required prior to secondary containment testing, enhanced leak detection (ELD) testing, and tank/piping integrity testing. Failure to provide required notice may result in the need to repeat testing at your expense.

Submittal of UST Equipment Testing Reports – Monitoring System Certification forms, and reports documenting secondary containment testing, tank/piping integrity testing, and tank lining inspections must be submitted within 30 days of test completion. Enhanced Leak Detection (ELD) test reports must be submitted within 60 days of test completion. In unincorporated areas, secondary containment testing results must be reported on the Secondary Containment Testing Report Form available at www.EHinfo.org/hazmat, or an alternate format approved by HMCD.

Testing of Monitoring Equipment – UST monitoring equipment must be tested and certified when it is installed or repaired and every 12 months thereafter for operability, proper operating condition, and proper calibration. Testing must be done by an International Code Council (ICC) certified UST Service Technician with current training from the monitoring equipment manufacturer(s) as required by 23 CCR §2715(i).

Testing of Spill Containers – UST spill containment structures designed to prevent a release in the event of a spill or overflow during tank filling must be tested annually to confirm their ability to contain such a release until it is detected and cleaned up.

Testing of Secondary Containment – UST secondary containment components (i.e., annular spaces, secondary piping, sumps, under-dispenser containment) must be tested upon installation, 6 months after installation, and every 36 months thereafter. Testing must be performed by either a licensed tank tester or a UST Service Technician meeting the requirements of 23 CCR §2715(i). The tester must have current training from the equipment manufacturer(s) as required by 23 CCR §§2711(i)(2)(A) and (i)(3). *[Note: Per HSC §25284.1(a)(4)(B)(ii), emergency generator tank system (EGTS) components may be tested using Enhanced Leak Detection.]*

[Exception: The following are exempt from testing requirements: 1) Secondary containment systems provided with continuous vacuum, pressure, or hydrostatic (VPH) monitoring equipment; 2) EGTS components exempted per HSC §25284.1(a)(4)(B)(iii).]

V	N/A	Violation Code (VC)	Regulatory Citation	
<input type="checkbox"/>	<input type="checkbox"/>	U232	CCR § 2637(c)	Secondary Containment Testing Performance Standards – UST secondary containment testing must demonstrate that each component performs at least as well as it did upon installation. Tests must be performed in accordance with manufacturer’s guidelines or standards. If there are no manufacturer’s guidelines or standards, systems must be tested using an applicable method specified in an industry code or engineering standard. If there are no such guidelines, codes, or standards, a test method approved by a state-registered professional engineer must be used.
<input type="checkbox"/>	<input type="checkbox"/>	U240	CCR §§ 2635(a)(2) 2662(c)(1)(B)	Cathodic Protection Inspections and Testing – Cathodic protection systems (i.e., sacrificial anodes or impressed current corrosion-control systems) must be tested by a qualified cathodic protection tester within 6 months of installation and at a minimum every 3 years thereafter. Impressed current cathodic protection systems must be inspected no less than every 60 calendar days to ensure that they are in proper working order.

D. UST System Components

V	N/A	Violation Code (VC)	Regulatory Citation	
<input type="checkbox"/>	<input type="checkbox"/>	U300	HSC §§ 25290.1(c)(1) 25290.2(c)(1) 25291(a)(1) CCR §§ 2631.1(a) 2660(m)	Product-Tight Primary Containment – Tank and regulated piping primary containment must be made of (or, if single-walled, lined with) a material that is product-tight and compatible with the substance stored.
<input type="checkbox"/>	<input type="checkbox"/>	U305	CCR § 2662(c)	Upgrading of Steel Motor Vehicle Fuel Tanks – Single-wall steel USTs holding motor vehicle fuel must be equipped with approved cathodic protection systems and internal lining or bladder systems.
<input type="checkbox"/>	<input type="checkbox"/>	U330	HSC §§ 25290.1(c)(2) 25290.2(c)(2) 25291(a)(2)	Product-Tight Secondary Containment – Tank and regulated piping secondary containment must be made of a material that is product-tight and compatible with the substance stored.
<input type="checkbox"/>	<input type="checkbox"/>	U335	HSC § 25291(e)	Water in Secondary Containment – For UST systems installed on or after 1/1/1984 and before 7/1/2003, the facility must have a means of monitoring for water intrusion into secondary containment systems, and a means for removing any water found. The removal system must prevent uncontrolled removal of water. Removed water must be analyzed for contamination and, if contaminated, properly disposed of at an authorized disposal facility.
<input type="checkbox"/>	<input type="checkbox"/>	U340	HSC §§ 25290.1(c)(3) 25290.2(c)(3)	Water in VPH Secondary Containment – For UST systems installed on or after 7/1/2003, secondary containment must be constructed to prevent any water intrusion by precipitation, infiltration, or surface runoff.
<input type="checkbox"/>	<input type="checkbox"/>	U345	CCR §§ 2635(b)(1) 2665	Spill Containment – Each tank fill opening must be equipped with an approved spill container protected from corrosion, of minimum 5 gallon capacity, and equipped with a drain valve to permit spilled hazardous material to be drained into the tank primary containment.

V	N/A	Violation Code (VC)	Regulatory Citation	
<input type="checkbox"/>	<input type="checkbox"/>	U350	CCR §§ 2635(b)(2) 2665	<p>Overfill Prevention – Each UST fill opening must be equipped with an approved overfill prevention system which can not allow manual override and must either:</p> <ul style="list-style-type: none"> ◦ Alert the transfer operator when the UST is 90% full by restricting the flow into the UST or by triggering an audible and visual alarm; or ◦ Restrict flow to the UST at least 30 minutes prior to tank overfill, provided that the restriction occurs at no more than 95% of tank capacity <u>and</u> triggers an audible alarm at least 5 minutes prior to tank overfill; or ◦ Provide positive shut-off (100% restricted flow) of flow to the UST when the tank is no more than 95% full; or ◦ Provide positive shut-off (100% restricted flow) of flow to the UST so that none of the fittings located on the top of the tank are exposed to product due to overfilling. <p><i>[Exception: Per 23 CCR §2635(b)(3), tanks may be exempted from this requirement provided that the tank fill inlet is located in an observable area, the spill container is adequate to collect any overfill, and the tank system is filled by transfers of no more than 25 gallons at one time. In the case of hazardous wastes (e.g., used oil), you should note that State hazardous waste regulations may require overfill prevention equipment regardless of this exemption from UST regulations.]</i></p>
<input type="checkbox"/>	<input type="checkbox"/>	U360	HSC §§ 25290.1(c) & (k) 25290.2(c) & (j) 25291(a) CCR §§ 2636(a) 2662(b) 2666(a) & (b)	<p>Secondary Containment: Piping – Piping connected to a non-petroleum UST system, or to a petroleum UST system installed after 7/1/1987, must be provided with secondary containment.</p> <p><i>[Exceptions: This requirement does not apply to the following piping:</i></p> <ol style="list-style-type: none"> 1. Tank risers and vent piping in a UST system installed prior to 7/1/2003, if the UST is equipped with overfill prevention equipment that either: <ul style="list-style-type: none"> a. Restricts flow to the tank at least 30 minutes prior to tank overfill, provided that the restriction occurs at no more than 95% of tank capacity <u>and</u> triggers an audible alarm at least 5 minutes prior to tank overfill; or b. Provides positive shut-off (100% restricted flow) of flow to the tank when the tank is no more than 95% full. 2. Vapor recovery piping in a UST system installed prior to 7/1/2003, if designed such that it can not contain liquid-phase hazardous material (i.e., through sloping toward the UST, with no sags or traps). 3. Emergency generator tank system (EGTS) unburied fuel piping that is excluded from California UST regulations pursuant to HSC §25281.5(b)(3)]
<input type="checkbox"/>	<input type="checkbox"/>	U375	CCR §§ 2636(g) 2666(e)	<p>Under-Dispenser Containment (UDC) – All UST systems with dispensers must be equipped with approved under-dispenser containment (i.e., dispenser pans or sumps).</p>

E. Construction/Upgrade/Repair/Closure Requirements

V	N/A	Violation Code (VC)	Regulatory Citation	
<input type="checkbox"/>	<input type="checkbox"/>	U400	CCR §§ 2661(b) 2662(a)	<p>Upgrade/Repair Plans Not Submitted – Plans must be submitted to and approved by HMCD prior to upgrading or repairing a UST system. Refer to HMCD’s <u>Plan Submittal Requirements for Hazardous Materials Systems</u>, available at www.EHinfo.org/hazmat.</p>
<input type="checkbox"/>	<input type="checkbox"/>	U410	CCR § 2660(k)	<p>Upgrades/Repairs Inadequate – UST system upgrades and repairs must leave the system structurally sound and be adequate to prevent an unauthorized release due to structural failure or corrosion during the remaining operating life of the UST system.</p>

V	N/A	Violation Code (VC)	Regulatory Citation	
<input type="checkbox"/>	<input type="checkbox"/>	U490	HSC § 25298(a)	Abandoned/Out-of-Service Underground Tanks – No person/facility shall abandon a UST system or close or temporarily cease operating a UST system unless prior approval from HMCD has been granted. Per 23 CCR §2670(e), the period between cessation of hazardous substance storage and application for UST closure must not exceed 90 calendar days. UST closure must be completed within 6 months of application for a closure permit.

F. Exemption Conditions

V	N/A	Violation Code (VC)	Regulatory Citation	
<input type="checkbox"/>	<input type="checkbox"/>	U500	HSC § 25283.5(a)	Exemption Conditions: Tanks in Basements – The operator of a tank system in a below-grade containment structure (e.g., basement, below-grade parking structure) must perform and document weekly direct visual inspections of all exterior surfaces of the tank, including connected piping and the floor directly beneath the tank in order to qualify for exemption of the tank system from California UST regulations pursuant to HSC §25283.5. Records of these inspections must be kept on-site and available for review by HMCD for at least 3 years.
<input type="checkbox"/>	<input type="checkbox"/>	U510	CCR § 2636(f)(6)	Exemption Conditions: EGTS LLD – The operator of an emergency generator tank system (EGTS) must perform and document daily checks of the UST monitoring system to confirm operability and alarm status (either by remote electronic access or on-site visual inspections) in order to exempt EGTS double-wall underground pressurized piping from the requirement to be equipped with a line leak detector (LLD). Records of these checks must be kept on-site and available for review by HMCD for at least 3 years. An <u>Emergency Generator Tank System Monitoring System Daily Inspection Log</u> form is available at www.EHinfo.org/hazmat .
<input type="checkbox"/>	<input type="checkbox"/>	U520	HSC § 25281.5(b)(3)	Exemption Conditions: EGTS Piping – The operator of an emergency generator tank system (EGTS) must perform and document visual inspections of unburied EGTS fuel piping each time the tank system is operated, but no less often than monthly in order to exclude the piping from California UST regulations pursuant to HSC §25281.5(b)(3). Records of these inspections must be kept on-site and available for review by HMCD for at least 3 years.

G. Failure to Comply and Other UST Violations

V	N/A	Violation Code (VC)	Regulatory Citation	
<input type="checkbox"/>	<input type="checkbox"/>	U900	CCR § 2712(f)	Response to Notice of Violation – Within 30 calendar days of receiving an inspection report from HMCD citing violations of UST law or regulations, the UST permit holder must implement the corrections specified in the inspection report.
<input type="checkbox"/>	<input type="checkbox"/>	U910	HSC § 25292.3(b)	Failure to Correct Significant UST Violation – The UST owner/operator must correct a significant UST violation to the satisfaction of HMCD within 7 days of receiving written notice of the significant violation. If a UST Red Tag is affixed to the fill pipe of a non-compliant UST system, do not deposit or allow the deposit of petroleum into the tank until HMCD has conducted a follow-up inspection and removed the red tag.
<input type="checkbox"/>	<input type="checkbox"/>	U999	See Official Notice of Inspection	Other UST Violation – See the Official Notice of Inspection (NOI) for details.