

When should a submittal be made for repairs or new USTs?

UST FAQ: When should a UPA require a CERS submittal for existing UST repairs or for new UST installations?

New USTs

A UPA may require a business to report to CERS or a local reporting portal (a 'CERS submittal') a submittal that includes the Facility Information, Hazardous Materials Inventory, Hazardous Materials Emergency Response Plan/Training Plan, and the UST submittal element as a condition before authorizing the introduction of any hazardous materials to the new UST. A UPA may not make the CERS submittal a condition of issuing a permit to install a UST. USTs are not subject to reporting requirements until they contain regulated substances.

Further, requiring a CERS submittal for a new UST as a condition of issuing the permit to construct/install is less than ideal for these reasons:

- UST installations are typically done by contractors that rarely have access to CERS for their clients.
- If a submittal is made, then CERS will show a new UST with hazardous materials long before the hazardous materials are actually present onsite so the HMIS and the UST submittal elements will be incorrect.

Repairs to Existing USTs

HSC 25286 states that notification of any changes in the usage of the UST shall be made within the period determined by the local agency. The State Water Resources Control Board recommends that an updated CERS submittal be required within 30 days or less after the completion of any repair or modification.

A similar UST FAQ has been posted to the Business Help portal to alert businesses that they are required to make a complete CERS submittal prior to adding any hazardous materials to a new UST and to advise the business to contact the UPA for reporting requirements for UST repairs and modifications.