
State Water Resources Control Board

TO: Chief James Hosler
Assistant Deputy Director
Office of State Fire Marshal



FROM: Laura S. Fisher
UST Leak Prevention Unit &
Office of Tank Tester Licensing Manager

DATE: June 24, 2020

SUBJECT: UNDERGROUND STORAGE TANKS CONNECTED TO TANKS IN UNDERGROUND AREAS

Dear Chief Hosler:

This letter is in response to a request for clarification from the Office of State Fire Marshal (OSFM) regarding the State Water Resources Control Board's (State Water Board) regulation of underground storage tanks (USTs) that are connected to tanks in underground areas (TIUGAs). Previously, TIUGAs, as defined by H&SC section 25279.2(o)(1), were regulated by the State Water Board as USTs. In accordance with H&SC, sections 25270.2(o)(3) and 25281(y)(1)(E), however, TIUGAs have been regulated by the OSFM as aboveground storage tanks (ASTs) since July 1, 2018, the effective date of the OSFM's regulations regarding TIUGAs. This memo specifically addresses the regulation of the piping connection between USTs and TIUGAs.

The State Water Board regulates USTs in accordance with Health and Safety Code (H&SC), division 20, chapter 6.7, section 25280 et seq. Pursuant to H&SC section 25281(y)(1):

(y)(1) "Underground storage tank" means any one or combination of tanks, including pipes connected thereto, that is used for the storage of hazardous substances and that is substantially or totally beneath the surface of the ground. "Underground storage tank" does not include any of the following:

....

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*(E) A tank in an underground area, as defined in Section 25270.2, and associated piping, that is subject to Chapter 6.67 (commencing with Section 25270).
(Emphasis Added.)*

The OSFM regulates aboveground storage tanks (ASTs) in accordance with H&SC, division 20, chapter 6.67, section 27270 et seq. Pursuant to H&SC section 25270.3(o)(3)(A):

*(3)(A) A storage tank in an underground area is not subject to Chapter 6.7 (commencing with Section 25280) if the storage tank meets the definition of a tank in an underground area, as provided in paragraph (1) and, except as specified in subparagraph (B), the regulations that apply to all new and existing tanks in underground areas and buried piping connected to tanks in underground areas have been adopted by the office pursuant to Section 25270.4.1.
(Emphasis Added.)*

Effective July 1, 2018, TIUGAs and associated piping are regulated as ASTs, not USTs. Where a TIUGA is connected to a UST system, the piping associated with a TIUGA includes the liquid product and return piping shared between the TIUGA and the UST up to the tank top fitting. UST sumps containing the liquid product and return piping connections, additional components within the sump, and any other shared TIUGA and UST components, other than the TIUGA supply and return pipe and associated pump or turbine, are part of the UST system and must meet all UST requirements.

Please contact me with any additional questions or comments at (916) 341-5870 or Laura.Fisher@waterboards.ca.gov.

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