

UNDERGROUND STORAGE TANK (UST) TEMPORARY CLOSURE

Temporary closure applies to those USTs in which the storage of hazardous substances will cease, but the UST will again be operated within the next twelve (12) consecutive months. These USTs shall continue to be subject to all CUPA permit, inspection, and monitoring requirements, and operating fees during the temporary closure period.

Application for UST Temporary Closure Permit

Temporary Closure

To apply for temporary closure, an owner or operator must submit a completed temporary UST closure application to the San Bernardino County Certified Unified Program Agency (CUPA) and pay applicable fees (payable to the San Bernardino County Fire Department). In accordance with California Code of Regulations (CCR) Title 23, Section 2670(e), the time period between cessation of hazardous substance storage and application for temporary closure shall not exceed ninety (90) calendar days. Closure shall be completed within a reasonable time period as determined by the CUPA. Application must be at minimum thirty (30) days prior to the anticipated temporary closure date. The application includes a proposal describing how the owner/operator intends to comply with the temporary closure requirements. The CUPA will review the application, and the operating and compliance status of the UST system, and provide any additional site-specific requirements. Application for Temporary UST Closure does not guarantee approval.

If the application is approved, the temporary closure permit is limited to twelve (12) consecutive months.

One-time 12-month Extension requirements

Although CCR Title 23, Section 2670(b) allows for a one-time 12-month extension, any extension is problematic for two reasons:

1. The California Fire Code Section 3404.2.13.1.3 requires removal of USTs that have been out of service for a year. Therefore, to receive consideration for the one-time 12-month extension, you must demonstrate that your fire agency has waived this Fire Code requirement.
2. The CUPA cannot grant an extension without a completed site assessment.

If your fire agency authorizes a 12-month extension, you may apply to the CUPA under the following circumstances:

1. Pursuant to 23 CCR 2670(b), the owner/operator shall complete a site assessment in accordance with Section 2672(d) before a single 12-month extension to temporary closure may be granted by the local agency. The site assessment must demonstrate to the satisfaction of the local agency that no unauthorized release has occurred. A work plan for the site assessment must be submitted and approved by the CUPA prior to commencing site assessment work.
2. If the owner/operator plans to request a 12-month extension, a new application for temporary UST closure is required. The extension application must include the completed site assessment report and compliance documentation. Submit all documentation to the CUPA for review no later than the ninth (9th) month of legal temporary closure. No extension will be granted if the UST system is not compliant at the time of application for extension.

This CUPA will not consider initial or extended temporary closure on non-compliant UST systems. (See Test of Eligibility)

Scheduling

If approved for temporary closure, the owner/operator shall schedule an inspection with this Department to verify that all conditions have been met. Inspections must be scheduled a minimum of twenty (20) days in advance. If the temporary closure inspection is not completed within the sixty (60) day period following approval, the closure permit will expire. For an appointment, please contact UST Scheduling at (909) 386-8464.

Typical Conditions for Temporary Closure:

- Remove all residual liquids, solids, or sludges from the UST. If a hazardous substance cannot be lawfully used (dispensed), the material in the tank has become a hazardous waste. All hazardous waste laws apply to these situations.
- Triple rinse and properly dispose of rinsate.
- Inert the UST of all flammable and combustible vapors and, if appropriate, fill with a non-corrosive liquid that is not a hazardous substance.
- Seal all fill and access locations and all piping that is not used for venting by using locking caps or concrete plugs.
- Disconnect power to all pumps, other than those for equipment that is not being closed.
- Corrosion protection systems must remain operational during the temporary closure period.
- All electronic monitoring systems must be kept on and in good working condition.
- The UST must be inspected by the owner/operator at least once every three (3) months to verify that temporary closure measures are still in place. The inspection must, at a minimum, include visual inspection of all locked caps and concrete plugs. If locked caps are used, at least one (1) cap shall be removed to determine if any liquids or other substances have been added or removed, or if there is a change in liquid type or quantity. These inspection reports must be retained onsite and made available for inspection upon request.
- Other site-specific conditions may be required at this Department's discretion or as indicated by the code requirements below.

References: 2007 California Fire Code Chapter 34, Section 3404.2.14.1, Section 3404.2.14.2, and Section 3404.2.13.1.3.

California Health and Safety Code Chapter 6.75

California Code of Regulations Title 23 Sections 2670, 2671, and 2672(d)

San Bernardino County Code Sections 23.0729 and 23.07210

At the end of temporary closure, the UST may be put back into use only if it:

- Meets the new UST design, construction, and monitoring requirements under Article 3 of CCR Title 23.
- Complies with all monitoring and testing requirements.
- Has had a witnessed monitoring certification inspection successfully completed at the end of temporary closure.

Pre-Application Temporary Closure Test of Eligibility Worksheet

This Department recommends that you take time to verify that the facility and tank(s) qualify for Temporary UST Closure before making application and submitting fees. Below is a list of requirements that will be reviewed for UST compliance prior to any approval for UST temporary closure.

REQUIREMENTS FOR TEMPORARY UST CLOSURE

1. UST facility compliance:

- Successful monitoring system certification within the past 12 months.
 - Date: _____
 - Any Failures? Date and description of failure and repair.

- Secondary Containment Testing current and passing (last due by 12/31/2008).
 - Date: _____
 - Any Failures? Date and description of failure and repair.
 - AB2481 Compliant and vapor/liquid tight.

- There have been **NO** unauthorized releases.
 - Soil sampling and/or UST system integrity testing may be required to verify that an unauthorized release has not occurred.
 - If an unauthorized release has occurred and the tank system cannot be repaired, then it does not qualify for temporary closure and must be removed within 30 days.

- Enhanced Leak Detection (ELD) test is completed if required.
 - Date: _____
 - Any Failures? Date and description of failure and repair.

- UST designated operator has been conducting monthly inspections.

- All UST documentation is up to date and on file.
 - Certificate of Financial Responsibility
 - UST Facility and Tank Application forms
 - Leak Detection, Monitoring and Response Plan
 - Business Emergency/Contingency Plan (due March 1st each year)
 - UST Owner/Operator agreement
 - UST monitoring and maintenance records are onsite and available for inspection.
 - UST change of ownership was reported to the CUPA within 30 days of the change.

2. There are no outstanding UST repairs or corrections due to the UST system.

3. The facility intends to operate the UST system in question within 12 calendar months from the date of application.

4. The facility provides proof of approval for extended UST closure (greater than 90 days) from the local Building & Safety Department and the local Fire Authority.

5. Application for Temporary UST Closure and payment of associated fees does not guarantee approval. Once submitted for review no application fees will be reimbursed for failure to qualify for approval.

Is Temporary Closure an operational option for your facility?

