



# State Closure Incentives

NJ & CA

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# CA's Single-Walled UST Closure Deadline

- IN 2014, CA LAW WAS AMENDED TO REQUIRE ALL USTS AND PRODUCT PIPING TO HAVE SECONDARY CONTAINMENT AND CONTINUOUS INTERSTITIAL MONITORING, ON OR BEFORE DECEMBER 31, 2025.
- CHALLENGES INCLUDE: THE AVAILABILITY OF PROPERLY LICENSED CONTRACTORS, LONG LEAD TIMES FOR REPLACEMENT EQUIPMENT, AND RISING PRICES.
- USEPA AND THE CA STATE WATER RESOURCES CONTROL BOARD HAVE A CONTRACTOR DEDICATED TO SINGLE-WALLED FACILITY FINANCIAL ASSISTANCE OUTREACH.
- FINANCIAL ASSISTANCE IS AVAILABLE FROM THE STATE WATER BOARD'S RUST (REPLACING, REMOVING, OR UPGRADING UNDERGROUND STORAGE TANKS) GRANT AND LOAN PROGRAM.

# CA - RUST Financial Assistance

- RUST OFFERS GRANTS OF UP TO \$70,000 AND LOW-INTEREST LOANS OF UP TO \$750,000, FOR UST REPLACEMENT, REMOVAL, AND/OR REPAIR/UPGRADE.
- INDEPENDENT OWNERS AND OPERATORS OF QUALIFYING SMALL BUSINESSES WITH <20 EMPLOYEES ARE ELIGIBLE FOR GRANTS, AND QUALIFYING BUSINESSES WITH <500 EMPLOYEES ARE ELIGIBLE FOR LOANS.
- TO AVOID REWARDING NON-COMPLIANCE, FACILITIES WITH OUTSTANDING UST VIOLATIONS OLDER THAN 180 DAYS ARE NOT ELIGIBLE FOR GRANTS, AND LOANS ARE ONLY AVAILABLE TO OUT-OF-COMPLIANCE FACILITIES IF THE FUNDED PROJECT WILL RESTORE COMPLIANCE.
- GRANTS MAY BE AVAILABLE TO OUT-OF-COMPLIANCE FACILITIES FOR UST **REMOVAL-ONLY** PROJECTS VIA A SPECIAL WAIVER, IF THE APPLICANT CANNOT AFFORD A RUST LOAN.

# CA - What's Next?

- MORE THAN 2,200 USTS WITH SOME NON-EXEMPT SINGLE-WALLED COMPONENT REMAIN IN CA, AT ABOUT 800 FACILITIES.
- USEPA AND THE STATE WATER BOARD HAVE BEEN SENDING CORRESPONDENCE TO SINGLE-WALLED UST FACILITIES REQUESTING THE COMPLETION OF A UST CLOSURE COMMITMENT PLAN, A FILLABLE FORM THAT ASKS OWNERS AND OPERATORS TO PROVIDE DETAILS ABOUT HOW AND WHEN THEIR SINGLE-WALLED TANKS WILL BE PERMANENTLY CLOSED, AND RUST ELIGIBILITY FACTORS.
- OUTREACH IS ALSO BEING CONDUCTED TO ABANDONED UST FACILITIES TO ASSIST PROPERTY OWNERS WITH RUST FUNDING FOR ABANDONED UST REMOVAL.



# NJ's Compatibility Enforcement Initiative

- ▶ As of 2018, NJ had over 200 facilities remaining with 40+ year old single wall tanks
- ▶ Insurance companies solved some of the issue by not offering to renew policies for these tanks, but owners of multiple sites seemed to get these old dogs through
- ▶ As CP systems fail, the very old, single wall steel systems go away on their own
- ▶ Single wall FRP tanks were not evaluated or listed for alcohol compatibility until 1981, so...
- ▶ We enforced the general compatibility requirement in our regulation



# Enforcement with a Smile...at First

- ▶ Sent notification letters to all sites with registered tanks likely not documented to be compatible with alcohol blended fuel. Instructed to document compatibility or make system compatible (line or replace)
- ▶ When situation was found during inspections, Field NOV issued, with follow up Administrative Consent Order (ACO), hopefully
- ▶ Sites that did not address issue were sent Administrative Orders and placed on delivery prohibition until a plan was submitted and ACO signed.



# Results?

- ▶ As of today, less than 20 such tanks remain, over half are in ACO's, with replacement tanks ordered
- ▶ Those that chose lining are still stuck paying high insurance premiums since installation date is the same. By NJ rule, they're also required to perform lining inspections.

