



UST DESIGNATED OPERATOR AND UST INSPECTOR 2024

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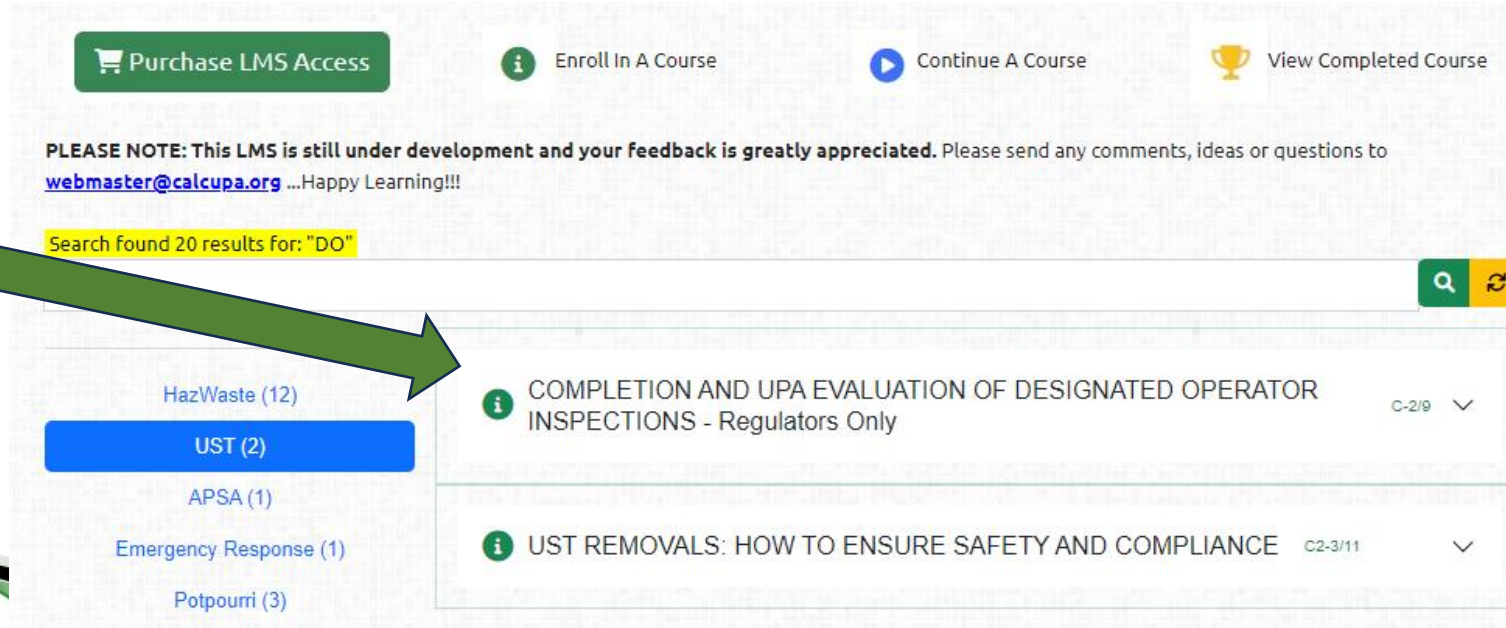
February 28, 2024

**26th California Unified Program
Annual Training Conference
February 26-29, 2024**



What's New in 2024?

The previously recorded UST DO presentation is available through the LMS on CalCUPA.org



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Before we dive into the FAQ; Let Us Refresh!



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Who Can be a CA UST D.O.?

- (b) Designated UST operators shall possess a current certificate issued by the International Code Council (ICC) indicating that the individual has passed the California UST System Operator exam. The individual shall renew the ICC certification, by passing the California UST System Operator exam, every 24 months.
- (c) The designated UST operator(s) shall train facility employees in the proper operation and maintenance of the underground storage tank system at least once every 12 months. For facility employees hired before October 13, 2018, the initial training shall be conducted within 30 days of the date of hire. For individuals assuming the duties of a facility employee on or after October 13, 2018, the initial training shall be conducted before the individual performs the duties of a facility employee.
 - (1) The training for facility employees must be conducted according to the following:
 - (A) The initial training of a facility employee shall be conducted through a site-specific practical demonstration that provides both sharing information and evaluating knowledge for responding to emergencies, leak detection monitoring alarms, spills, and overfills associated with operating the UST system and must include, but is not limited to, the following:
 - (i) The operation of the underground storage tank system in a manner consistent with the facility's best management practices.
 - (ii) The facility employee's role with regard to the monitoring equipment as specified in the facility's monitoring plan.
 - (iii) The facility employee's role with regard to spills and overfills as specified in the facility's response plan.



Who Can be a CA UST D.O.?

- (iv) The name of the contact person(s) for emergencies and monitoring equipment alarms.
- (B) After the initial training of a facility employee, site-specific training must include, but is not limited to, the following:
 - (i) The operation of the underground storage tank system in a manner consistent with the facility's best management practices.
 - (ii) The facility employee's role with regard to the monitoring equipment as specified in the facility's monitoring plan.
 - (iii) The facility employee's role with regard to spills and overfills as specified in the facility's response plan.
 - (iv) The name of the contact person(s) for emergencies and monitoring equipment alarms.
- (2) At least one of the facility employees present during operating hours shall have current training in accordance with paragraph (1) above. For facilities that are not routinely staffed, the designated UST operator shall implement a facility employee training program approved by the local agency.
- (3) A list of facility employees who have been trained by the designated UST operator(s), shall be maintained on-site or off-site at a readily available location, if approved by the local agency. The list shall be provided to the local agency upon request. The list shall include the dates of training for all facility employees, and the hiring dates for all facility employees hired on or after July 1, 2005.
- (4) Notwithstanding paragraph (3) above, on and after October 1, 2018, upon completion of the facility employee training, the designated UST operator(s) shall provide a signed "Facility Employee Training Certificate," located in Appendix XII, to the owner or operator for facility employees that have received training. The certificates shall be maintained on-site or off-site at a readily accessible location, if approved by the local agency, and provided to the local agency upon request. The "Facility Employee Training Certificate" satisfies the requirements in paragraph (3), above.

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What is required to be included in the Report?

§ 2716. Designated UST Operator Visual Inspection

- (a) On and after October 1, 2018, all underground storage tank systems shall have a visual inspection performed by a designated UST operator at least once every 30 days in accordance with all subdivisions below.
- (b) The designated UST operator visual inspection shall identify compliance issues which cause the underground storage tank system to be out of compliance with this chapter and include, but not be limited to, all of the following:
 - (1) Review of the previous "Designated Underground Storage Tank Operator Visual Inspection Report" to verify each compliance issue identified by the designated UST operator during the previous visual inspection required by subdivision (a) above, has a documented action taken in response;
 - (2) Review of the alarm history since the previous visual inspection required by subdivision (a) above, to verify that each alarm condition was documented and responded to appropriately;
 - (3) Review of the testing and maintenance records for the underground storage tank system to verify that all required testing and maintenance have been complete;
 - (4) Review of the facility employee training records to verify that all facility employees have been trained in accordance with section 2715(c);
 - (5) Inspect the spill container for damage and for the presence of any hazardous substance, water, or debris;
 - (6) Inspect the fill pipe for obstructions;

What is required to be included in the Report?

- (7) Inspect the fill cap to verify it is securely on the fill pipe;
 - (8) Inspect under-dispenser containment areas for damage and for the presence of any hazardous substance, water, or debris and check that the monitoring equipment in these areas is located in the proper position to detect a leak at the earliest possible opportunity; and
 - (9) Inspect containment sumps that have had an alarm since the previous visual inspection required by subdivision (a) above, for which there is no record of a service visit. Inspect the containment sumps for damage and for the presence of any hazardous substance, water, or debris and check that the monitoring equipment in these containment sumps is located in the proper position to detect a leak at the earliest possible opportunity.
- (c) The results of the designated UST operator(s) visual inspection shall be recorded on the "Designated Underground Storage Tank Operator Visual Inspection Report" located in Appendix XIII. The report shall include, but not be limited to, all of the following:
- (1) A copy of documentation demonstrating action taken in response to each compliance issue identified by the designated UST operator during the previous visual inspection required by subdivision (a) above;
 - (2) A list of each compliance issue identified by the designated UST operator during the previous visual inspection, required by subdivision (a) above, for which there is no record of action taken to correct;
 - (3) A copy of the alarm history since the previous visual inspection required by subdivision (a) above;
 - (4) A copy of documentation demonstrating action taken in response to each alarm since the previous visual inspection required by subdivision (a) above;
 - (5) A list of each alarm since the previous visual inspection, required by subdivision (a) above, for which there is no documentation of the alarm condition and action taken in response;
 - (6) A list of each area inspected and whether each area inspected is acceptable or needs follow-up action taken; and
 - (7) A list of the dates for all required testing and maintenance that has occurred.

What is required to be included in the Report?

- (d) Within 48 hours of the completion of the designated UST operator visual inspection required by subdivision (a) above, the designated UST operator shall sign and provide the owner or operator with a copy of the "Designated Underground Storage Tank Operator Visual Inspection Report."
- (e) Within 48 hours of being provided a signed copy of the "Designated Underground Storage Tank Operator Visual Inspection Report," the owner or operator shall provide a description of each corrective action taken or to be taken. The description shall be provided on a copy of the "Designated Underground Storage Tank Operator Visual Inspection Report" signed

by the designated UST operator and the owner or operator shall sign and date the report, acknowledging the identified compliance issues.
- (f) Owners or operators shall maintain a copy of the monthly inspection records of inspections performed before October 1, 2018 and all attachments for 12 months. On and after October 1, 2018, copies of the "Designated Underground Storage Tank Operator Visual Inspection Report" and all attachments shall be maintained for 36 months. The records shall be maintained on-site or, if approved by the local agency, off-site at a readily accessible location.

The Form

Appendix XIII
Underground Storage Tank
Designated UST Operator Visual Inspection Report

1. FACILITY INFORMATION		
CERS ID		Inspection Date
Facility Name		
Facility Address	City	ZIP Code
2. DESIGNATED UST OPERATOR INFORMATION		
Name of Designated UST Operator	Phone	
ICC Certification	Certification Expiration Date	
3. COMPLIANCE ISSUES		

The Form – Page 1 cont.

4. CERTIFICATION BY DESIGNATED UST OPERATOR CONDUCTING INSPECTION	
I hereby certify that the visual inspection was performed in compliance with California Code of Regulations, title 23, division 3, chapter 16, section 2716 and all information provided herein is accurate.	
Designated UST Operator Signature	Date Inspection Report Provided to Owner

CERS = California Environmental Reporting System, ICC = International Code Council, ID = Identification, NA = Not Applicable, UDC = Under-Dispenser Containment, UST = Underground Storage Tank

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ACCURATE

The Form

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**ATTACH
DOCUMENTATION**

Underground Storage Tank Designated UST Operator Visual Inspection Report

5. OWNER/OPERATOR DESCRIPTION OF FOLLOW-UP ACTION			
Number the follow up actions to correspond to appropriate compliance issues from Section 3.			
6. OWNER / OPERATOR ACKNOWLEDGEMENT OF INSPECTION RESULTS			
I have reviewed the results of the designated UST operator inspection report and provided a description of the action(s) taken or to be taken to correct any compliance issues discovered.			
Name of UST Owner / Operator (print)			
UST Owner/Operator Signature		Date Signed	
7. INSPECTION HISTORY			
Has each follow-up action of Section 3 from the previous Designated UST Operator Inspection Report been completed appropriately? <i>(Attach documentation verifying appropriate service to this report.)</i>	Yes <input type="checkbox"/>	No <input type="checkbox"/>	NA <input type="checkbox"/>
8. RELEASE DETECTION ALARM HISTORY			
<i>Attach a copy of the alarm history report/log to this report.</i>	Yes	No	NA
Is the monitoring system powered on and in proper operating mode?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Has each alarm since the previous inspection been responded to appropriately? <i>(Attach documentation verifying appropriate service to this report.)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Have all containment sumps, that have had an alarm since the previous designated UST operator inspection report, been responded to by a qualified service technician?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

All answers marked "No" must be described by the designated UST operator in Section 3.

The Form Page 3

Underground Storage Tank Designated UST Operator Visual Inspection Report

9. UST SYSTEM INSPECTION					
<i>List below and in Section 3 all containment sumps that have had a release detection alarm since the previous Designated UST Operator Inspection Report and have not been responded to by a qualified service technician. Containment sumps listed below require a visual inspection for damage, water, debris, hazardous substance, and proper sensor location.</i>					
<i>Is the containment sump free of damage, water, debris, and hazardous substances?</i>					
Containment Sump ID	Yes	No	Containment Sump ID	Yes	No
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
Are all sensors in visually inspected containment sumps located to detect a release at the earliest opportunity?				<input type="checkbox"/>	<input type="checkbox"/>
<i>Is the spill containment free of damage, water, debris, and hazardous substances? Is the fill pipe free of obstructions? Is fill cap securely on the fill pipe?</i>					
Spill Containment ID	Yes	No	Spill Containment ID	Yes	No
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>

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The Form Page 3 Cont.

Is the UDC free of damage, water, debris, and hazardous substances and all sensors located to detect a release at the earliest opportunity? <input type="checkbox"/> No UDC(s) at this facility					
UDC ID	Yes	No	UDC ID	Yes	No
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Mechanical float mechanisms used in UDCs.					

All answers marked "No" must be described by the designated UST operator in Section 3.



The Form Page 4

Underground Storage Tank Designated UST Operator Visual Inspection Report

10. TESTING AND MAINTENANCE	Yes	No	NA	Date last performed
Has monitoring system certification been completed within the past 12 months?	<input type="checkbox"/>	<input type="checkbox"/>		
Has spill container testing been completed within the past 12 months?	<input type="checkbox"/>	<input type="checkbox"/>		
Has overfill prevention equipment inspection been completed within the past 36 months?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Has secondary containment testing been completed within the past 36 months?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Has tank tightness testing been completed within required timeframes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Has line tightness testing been completed within the required timeframes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Other Test / Maintenance:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Other Test / Maintenance:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Other Test / Maintenance:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

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The Form Page 4 Cont.

11. FACILITY EMPLOYEE TRAINING		Yes	No
Have all individuals performing facility employee duties received the required facility employee training within the past 12 months?		<input type="checkbox"/>	<input type="checkbox"/>
13. COMMENTS			
<i>This section may be used to record comments or observations that are not current compliance deficiencies.</i>			

All answers marked "No" must be described by the designated UST operator in Section 3.

Frequently Asked Questions - ANSWERED

The 2024 Presentation picks up where the original left off by gathering questions from throughout the state and answering them for you!

*** Any time “the law” is used in the presentation it is to be assumed that the appropriate law, statute or regulation is being referred to. This presentation is relying on current regulation, statute, and published SWRCB opinions. ***

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FREQUENTLY ASKED QUESTIONS



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How important is it for the D.O. to include the CERS number on the form?

Appendix XIII Underground Storage Tank Designated UST Operator Visual Inspection Report

1. FACILITY INFORMATION		
CERS ID	Inspection Date	
Facility Name		
Facility Address	City	ZIP Code
2. DESIGNATED UST OPERATOR INFORMATION		
Name of Designated UST Operator	Phone	
ICC Certification	Certification Expiration Date	
3. COMPLIANCE ISSUES		

Can a D.O. also be the UST Site Rep/Owner Signer (if they work for site and are a D.O.)? Or does it have to be two separate people? Regs?

6. OWNER / OPERATOR ACKNOWLEDGEMENT OF INSPECTION RESULTS	
I have reviewed the results of the designated UST operator inspection report and provided a description of the action(s) taken or to be taken to correct any compliance issues discovered.	
Name of UST Owner / Operator (print) <input type="text"/>	
UST Owner/Operator Signature	Date Signed <input type="text"/>



What response do THEY want when UST owners do not PRINT, SIGN, Date (all three!) Section 6 nor list follow-up actions/acknowledgement in Section 5 for items in Section 3.

What about if owner’s signature but not print (can’t truly identify the signer) or date (I consider it insufficient without all three).

6. OWNER / OPERATOR ACKNOWLEDGEMENT OF INSPECTION RESULTS	
I have reviewed the results of the designated UST operator inspection report and provided a description of the action(s) taken or to be taken to correct any compliance issues discovered.	
Name of UST Owner / Operator (print) <input type="text"/>	
UST Owner/Operator Signature	Date Signed <input type="text"/>



D.O. says alarm responded to, but not ATTACHING responses (work order, alarm log, etc.) to sensor alarms during period since last D.O. Inspection (be it work order or alarm log) and not listing it as missing/owner needs to provide. Can't be both. Better training needed and/or what response does water board want us to do (I write them up).

8. RELEASE DETECTION ALARM HISTORY			
<i>Attach a copy of the alarm history report/log to this report.</i>	Yes	No	NA
Is the monitoring system powered on and in proper operating mode?	<input type="checkbox"/>	<input type="checkbox"/>	
Has each alarm since the previous inspection been responded to appropriately? <i>(Attach documentation verifying appropriate service to this report.)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Have all containment sumps, that have had an alarm since the previous designated UST operator inspection report, been responded to by a qualified service technician?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

All answers marked "No" must be described by the designated UST operator in Section 3.



Which Alarms should be included?

What's required by the applicable law?

CA UST Designated Operator interpretation

Agency CA UST ICC Inspector interpretation

- (2) Review of the alarm history since the previous visual inspection required by subdivision (a) above, to verify that each alarm condition was documented and responded to appropriately;

Which Alarms should be included?

ALARM HISTORY REPORT

----- IN-TANK ALARM -----

T 1:REGULAR 1

OVERFILL ALARM

JUL 26, 2021 8:14 AM

LOW PRODUCT ALARM

AUG 29, 2023 6:14 PM

APR 2, 2023 10:50 PM

MAR 28, 2023 4:06 PM

PROBE OUT

JUL 26, 2021 8:15 AM

JUL 26, 2021 8:09 AM

DELIVERY NEEDED

FEB 21, 2024 11:58 AM

FEB 11, 2024 5:57 PM

FEB 3, 2024 7:50 PM

ALARM HISTORY REPORT

----- IN-TANK ALARM -----

T 3:SUPER

OVERFILL ALARM

JUL 26, 2021 8:11 AM

INVALID FUEL LEVEL

APR 6, 2023 8:40 AM

APR 3, 2023 8:38 AM

FEB 15, 2023 9:36 AM

PROBE OUT

JUL 26, 2021 8:12 AM

JUL 26, 2021 8:07 AM

DELIVERY NEEDED

FEB 10, 2024 6:04 PM

JAN 26, 2024 10:51 AM

JAN 17, 2024 5:54 PM

ALARM HISTORY REPORT

----- SENSOR ALARM -----

L 1:87 FILL

PIPING SUMP

FUEL ALARM

FEB 20, 2024 6:23 PM

FUEL ALARM

FEB 6, 2024 4:46 AM

FUEL ALARM

FEB 5, 2024 5:20 AM

ALARM HISTORY REPORT

----- SENSOR ALARM -----

L 4:87 SIPHON FILL

PIPING SUMP

FUEL ALARM

FEB 20, 2024 10:17 PM

FUEL ALARM

FEB 20, 2024 5:37 AM

FUEL ALARM

FEB 5, 2024 6:49 PM

ALARM HISTORY REPORT

----- SENSOR ALARM -----

L 5:87 STP SUMP

STP SUMP

FUEL ALARM

JAN 25, 2024 10:35 AM

FUEL ALARM

JAN 5, 2023 11:57 AM

FUEL ALARM

JAN 12, 2022 8:42 AM

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How much documentation is enough?

8. RELEASE DETECTION ALARM HISTORY			
<i>Attach a copy of the alarm history report/log to this report.</i>	Yes	No	NA
Is the monitoring system powered on and in proper operating mode?	<input type="checkbox"/>	<input type="checkbox"/>	
Has each alarm since the previous inspection been responded to appropriately? <i>(Attach documentation verifying appropriate service to this report.)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Have all containment sumps, that have had an alarm since the previous designated UST operator inspection report, been responded to by a qualified service technician?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

All answers marked "No" must be described by the designated UST operator in Section 3.



My Team is interested in hearing DO perspectives on inclement weather issues. We have UST systems in the mountains that operate under some pretty rugged weather conditions that make DO inspections difficult.



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How should a DO document inability to check spill containers due to being buried in (sometimes feet) of snow/ice? What should the inspector do?



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Some DO's indiscriminately answer "Yes" to all questions in section 8. Release Detection Alarm History when the site has no issues. Many times the correct answer is N/A.

8. RELEASE DETECTION ALARM HISTORY			
<i>Attach a copy of the alarm history report/log to this report.</i>	Yes	No	NA
Is the monitoring system powered on and in proper operating mode?	<input type="checkbox"/>	<input type="checkbox"/>	
Has each alarm since the previous inspection been responded to appropriately? <i>(Attach documentation verifying appropriate service to this report.)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Have all containment sumps, that have had an alarm since the previous designated UST operator inspection report, been responded to by a qualified service technician?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

All answers marked "No" must be described by the designated UST operator in Section 3.



Touching on recommendations for liquid alarms in sumps buried under feet of snow. We tell the facility that they have to keep the tank pad clear with the snowcat all winter long, but they often slip on this making the DO's job difficult.

Let's talk about access to inspect.

Do DO's check sumps and UDCs as part of monthly inspection?

9. UST SYSTEM INSPECTION					
List below and in Section 3 all containment sumps that have had a release detection alarm since the previous Designated UST Operator Inspection Report and have not been responded to by a qualified service technician. Containment sumps listed below require a visual inspection for damage, water, debris, hazardous substance, and proper sensor location.					
Is the containment sump free of damage, water, debris, and hazardous substances?					
Containment Sump ID	Yes	No	Containment Sump ID	Yes	No
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
Are all sensors in visually inspected containment sumps located to detect a release at the earliest opportunity?				<input type="checkbox"/>	<input type="checkbox"/>
Is the spill containment free of damage, water, debris, and hazardous substances? Is the fill pipe free of obstructions? Is fill cap securely on the fill pipe?					
Spill Containment ID	Yes	No	Spill Containment ID	Yes	No
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
Is the UDC free of damage, water, debris, and hazardous substances and all sensors located to detect a release at the earliest opportunity? <input type="checkbox"/> No UDC(s) at this facility					
UDC ID	Yes	No	UDC ID	Yes	No
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Mechanical float mechanisms used in UDCs.					

All answers marked "No" must be described by the designated UST operator in Section 3.

If a DO inspector is not doing all that they are required to per regulation/statute/form, how can the CUPA obtain compliance?

“The designated operator inspection report is incomplete and inaccurate to site conditions and requirements”

–A.Samayoa

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PLLD alarms - are they required to be reviewed and addressed in the DO Reports? I have run into multiple reports from DOs where they do not even print the PLLDs, yet alone address them. To my understanding, I thought that the entire Alarm History is required to be reviewed, thus that would include PLLD alarms. Even during MCs, the service tech won't print the PLLD alarms and have told me that most inspectors do not require it.

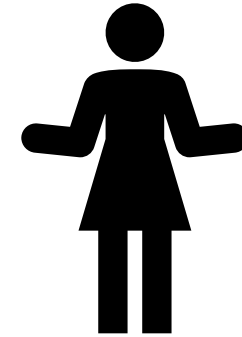
- (2) Review of the alarm history since the previous visual inspection required by subdivision (a) above, to verify that each alarm condition was documented and responded to appropriately;

Where should the UST DO document anything special or different that the form does not include like SW, VPH, Cathodic etc.

13. COMMENTS
<i>This section may be used to record comments or observations that are not current compliance deficiencies.</i>

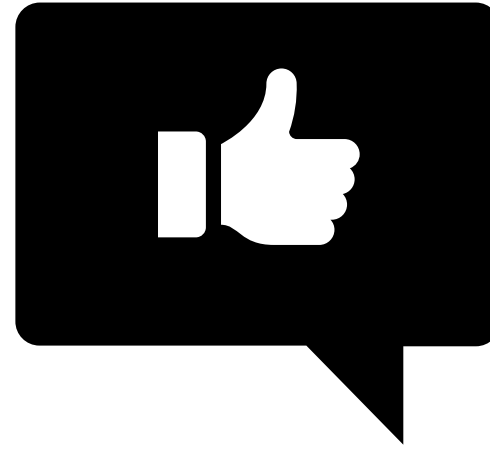


What happened to #12?!



11. FACILITY EMPLOYEE TRAINING	Yes	No
Have all individuals performing facility employee duties received the required facility employee training within the past 12 months?	<input type="checkbox"/>	<input type="checkbox"/>
13. COMMENTS		
<i>This section may be used to record comments or observations that are not current compliance deficiencies.</i>		

Does the inspection date and date on alarm history for that inspection have to be the same?



When the owner claims not to know ... is that a training issue then?

IV. CERTIFICATION BY DESIGNATED UST OPERATOR CONDUCTING THIS TRAINING	
The facility employees listed above have completed the required training in accordance with California Code of Regulations, Title 23, Division 3, Chapter 16, Section 2715(c) and all the information provide herein is accurate.	
Training Designated UST Operator Signature	Date of Training

III. FACILITY EMPLOYEE INFORMATION		
Individuals assuming the duties of the facility employee before October 13, 2018 must be trained within 30 days of performing facility employee duties. Individuals assuming the duties of the facility employee on and after October 13, 2018 must be trained before performing facility employee duties.		
<input type="checkbox"/> Check this box if a list of the individual(s) trained is appended to this form. The appended list at a minimum must contain all of the information in this section.		
Name of Individual(s) Trained	Initial Training Date	Date of Assuming Responsibility as a Facility Employee

Please describe a best management practice for UST DO Training

“Best Management” is in regulation...
Let’s discuss what that can be.



Any Questions?

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