Hazardous Waste Tank System Assessments Certification Requirements

Hazardous waste tank systems authorized pursuant to Permit by Rule, Conditional Authorization, or Conditional Exemption are required to be assessed periodically. Hazardous waste tank system assessments must be certified by an independent, qualified professional engineer that is registered in the state of California in accordance with California Code of Regulations (Cal. Code Regs.), title 22, § 66270.11(d), (as referenced in Cal. Code Regs., title 22, §§ 66265.191 and 66265.192). It is the Department of Toxic Substances Control's interpretation that a qualified engineer is one whose license (Title or Practice) allows that individual to engage in the work of assessing whether or not a tank system meets the operating requirements specified in the applicable regulations. Further, the individual with the appropriate license must also have expertise within the area they are practicing (Cal. Code Regs, title 16, division 5, § 415 [Practice within area of competence]).

All tank system assessments that are certified by a qualified professional engineer who is registered in the state of California will be reviewed with these requirements in mind. Reviews will be done to ensure assessments are complete (i.e., all relevant areas of the regulations pertaining to tank system assessments are addressed), and that all relevant information is included in the assessments (e.g., drawings, tank material and thickness information, volume calculations, and so on). The Department of Toxic Substances Control will also be looking at the qualification of the individuals signing certifications. Civil, Structural, and Geotechnical registered professional engineers may sign for entire systems. However, they may need to rely upon other professionals for specific areas of competence. In cases where a Civil, Structural, or Geotechnical registered professional engineer is not signing off for the tank system assessment, then all engineers contributing to the assessment must sign. These other registered engineers can sign off only for parts of a tank certification within their specific discipline. Certifications must include the name and license number for each engineer who is approving a section or sections of an assessment.

If you have any questions please contact Charles A. McLaughlin, Chief, State Oversight and Enforcement Branch, at (916) 255-3642.