

February 27, 2026

Freddie Agyin, MA, REHS  
Director  
Vernon City Health and Environmental Control  
4305 Santa Fe Avenue  
Vernon, California 90058-1730

Dear Mr. Agyin:

From June 2025, through January 2026, CalEPA, in coordination with the Department of Toxic Substances Control (DTSC), Office of the State Fire Marshall (OSFM), and State Water Resources Control Board (State Water Board), conducted an evaluation of the Vernon City Health and Environmental Control Certified Unified Program Agency (CUPA) to assess the CUPA's performance and implementation of the Unified Program (2025CUPA Performance Evaluation).

During the 2025 CUPA Performance Evaluation, a Preliminary Summary of Findings Report was provided to the CUPA that identified the initial findings. Please find the enclosed Final Summary of Findings Report.

CalEPA has rated the CUPA's overall performance and implementation of the Unified Program for the 2025CUPA Performance Evaluation as *satisfactory with improvement needed*. The CUPA has done an exemplary job of maintaining a strong and commendable Unified Program performance rating.

The CUPA shall submit the first Evaluation Progress Report to CalEPA 90 days from the date of this letter (as approved by the CalEPA Secretary pursuant to California Code of Regulations, title 27, section 15330, subdivision (b)(6)(A)) and any required subsequent Progress Reports in accordance with the specified due date. With each Progress Report, the CUPA will continue to revise and/or submit any plan, policy, document, or facility information required for any Deficiency or Incidental Finding. An Evaluation Progress Report template will be provided by the CalEPA Team Lead. Each Progress Report must be submitted to the CalEPA Team Lead via email or uploaded to the established SharePoint website.

Thank you for your continued commitment to the protection of public health and the environment through the implementation of the Unified Program.

To ensure the CUPA Performance Evaluation process is as effective and efficient as intended, I kindly request the included evaluation survey to be completed and returned to Melinda Blum, at [Melinda.Blum@calepa.ca.gov](mailto:Melinda.Blum@calepa.ca.gov). If you would like to have specific comments remain anonymous, please indicate so on the survey.

If you have any questions or need further assistance, please contact Melinda Blum at [Melinda.Blum@calepa.ca.gov](mailto:Melinda.Blum@calepa.ca.gov).

Sincerely,



Jason Boetzer  
Deputy Secretary  
Local Program Coordination and Emergency Response

Enclosure

cc sent via email:

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## **UNIFIED PROGRAM PERFORMANCE EVALUATION FINAL SUMMARY OF FINDINGS REPORT**

CUPA: Vernon City Health and Environmental Control

2025 Evaluation Assessment: June 2025 through January 2026

Timeframe Evaluated: April 1, 2022, through March 31, 2025

(Note: timeframe evaluated by OSFM is July 1, 2020, through March 31, 2025)

Evaluation Team Members:

- CalEPA Team Lead: Jessica Snow
- CalEPA: Julie Unson
- DTSC: Jessica Harris
- State Water Board: Michelle Suh
- CAL FIRE-OSFM: Andrew Dye

The Unified Program implementation and performance of the CUPA is considered satisfactory with improvement needed.

The CUPA shall submit the first Evaluation Progress Report to CalEPA 90 days from receipt of this report and a minimum of three subsequent Progress Reports in accordance with the specified due date.

The submittal date for the 1<sup>st</sup> Evaluation Progress Report is July 13, 2026.

With each Progress Report, the CUPA will continue to revise and/or submit any plan, policy, document, or facility information required for any Deficiency or Incidental Finding.

Each Progress Report must be submitted to the CalEPA Team Lead via email or uploaded to the established SharePoint website. Questions or comments regarding this evaluation should be directed to the CalEPA Team Lead.

Jessica Snow

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**ACCOMPLISHMENTS, EXAMPLES OF OUTSTANDING IMPLEMENTATION, AND CHALLENGES**

Various accomplishments and outstanding efforts, as well as challenges that impact the CUPA's overall ability to implement the Unified Program.

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**1. 2021 CUPA PERFORMANCE EVALUATION DEFICIENCIES CORRECTED:**

The following Deficiencies from the 2021 CUPA Performance Evaluation are now considered corrected and no longer require further action:

- Deficiency #15: *The CUPA's Policy and Procedures Manual for the Unified Program Consolidated Permit (UPCP) is inconsistent with Underground Storage Tank (UST) Regulations and Health and Safety Code (HSC).*
  - Deficiency #17: *The CUPA is not documenting in sufficient detail whether the UST owner or operator has demonstrated to the satisfaction of the CUPA that UST permanent closure and soil and/or groundwater sampling complies with UST Regulations and HSC.*
  - Deficiency #19: *The CUPA is not ensuring UST Program related information in the California Environmental Reporting System (CERS) is accurate and complete.*
  - Deficiency #21: *UST submittals are being accepted in CERS by CUPA personnel that have not obtained the required International Code Council (ICC) California UST Inspector certification.*
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**2. OUTSTANDING HAZARDOUS MATERIALS BUSINESS PLAN (HMBP) PROGRAM IMPLEMENTATION:**

Since the 2021 CUPA Performance Evaluation, the CUPA demonstrated outstanding implementation of the HMBP Program. Despite losing 2 of 3 field inspectors, the CUPA's staff demonstrates a vast and diverse range of expertise across multiple programs, extending beyond the regulated CUPA initiatives with limited staffing and a growing program.

The CUPA has met the mandated triennial inspection frequency for facilities subject to the HMBP Program and inspected 404 of 420 HMBP facilities, achieving an inspection frequency of 96%. The inspection reports are well written and contain descriptive observations and corrective actions.

The CUPA collaborates with the community in achieving and maintaining compliance through training and education during inspections and assistance from Environmental Health Technicians. Additionally, the CUPA maintains a strong and organized process for reminding facilities to annually submit HMBPs to CERS. The efforts of the CUPA ensured that 98% of facilities annually submitted an HMBP to CERS and that 99% of HMBP violations cited obtained compliance.

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**3. OUTSTANDING ABOVE GROUND PETROLEUM STORAGE ACT (APSA) PROGRAM IMPLEMENTATION:**

The outstanding efforts of the CUPA in implementing the APSA Program are reflected in the following:

- 100% of routine inspections were completed within the last three years for APSA tank facilities with 10,000 gallons or more of petroleum.
- 95% of routine inspections were completed within the last three years for APSA tank facilities with less than 10,000 gallons of petroleum.
- 95% of APSA tank facilities annually submitted the APSA Facility Information to CERS.
- 100% of APSA tank facilities annually submitted a tank facility statement or an HMBP in lieu of a tank facility statement to CERS.

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The CUPA also successfully enforced requirements of the APSA Program and obtained a high rate of compliance from tank facilities that were cited with violations since the 2021 CUPA performance evaluation was conducted.

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**4. SUCCESSFUL IMPLEMENTATION OF HAZARDOUS WASTE GENERATOR (HWG) AND TIERED PERMITTING (TP) PROGRAMS:**

The CUPA inspected nearly 100% of the 206 HWG facilities identified within its jurisdiction, completed 610 routine inspections, and achieved return to compliance (RTC) for nearly 100% of HWG Program violations cited between April 1, 2022, to March 31, 2025.

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**5. CHALLENGES IN UNIFIED PROGRAM IMPLEMENTATION:**

The CUPA continues to face significant staffing challenges, including:

- Loss of historical and institutional knowledge
  - During the timeframe evaluated, the CUPA lost 2 of 3 CUPA specialist inspectors.
  - In 2018, the Department of Health and Environmental Control (DHEC) underwent a comprehensive restructuring that required its Programs, including the CUPA Program, to be rebuilt entirely. As a result of the restructuring, the CUPA lost all staff possessing historical and institutional knowledge of Unified Program implementation, creating major challenges for the continuation of operations and CUPA performance.
- Recruitment difficulty due to:
  - The geographic location of the CUPA
  - A limited number of potential and qualified applicants, which often leads to extending hiring timelines, prolonging the vacancy of the position
  - The hiring process of new staff can be lengthy.
- Training processes and opportunities for newly hired staff are limited and strain the workload of existing staff.
  - CUPA staff are trained as generalists across Unified Program elements in addition to the Vernon City's broader Environmental Health portfolio. This dual training requirement delays the completion of onboarding new staff to implement the Unified Program and places considerable pressure on existing staff as development of specialized CUPA expertise is delayed and the expected workload remains continuous though not all staff are fully trained.
  - Due to the restructuring of the CUPA program in 2018, existing staff responsible for training new staff lack historical knowledge of Unified Program implementation.
  - Onboarding new staff is increasingly resource intensive.
- Environmental Health Specialists are required to complete various duties for each of the six Unified Program elements in addition to 16 other Environmental Health programs.
  - The divided workload between multiple regulatory programs reduces the time and personnel resources available for the City of Vernon to fully implement the Unified Program, specifically in areas of conducting complete inspections at mandated frequencies, providing program assistance and oversight to regulated businesses, ensuring compliance is obtained and maintained through applied enforcement, and fulfilling required reporting to state agencies.
  - The CUPA struggles to manage caseloads effectively, address technical requirements of Unified Program elements, respond promptly to needs of regulated businesses and facilities and take enforcement actions.

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A current workload analyses conducted by the CUPA indicates at least three full-time equivalent (FTE) specialist positions must be dedicated exclusively to CUPA operations in order to continue to meet state regulatory mandates and ensure adequate implementation of the Unified Program. To restore operational stability and achieve required performance standards, the addition of two Environmental Health Specialists, at minimum, is essential. Increasing staffing capacity will improve regulatory compliance, enhance inspection frequency and quality, prevent inspection and enforcement backlogs, and support the long-term stability, continuity, and resilience of the CUPA in the City of Vernon.

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**DEFICIENCIES REQUIRING CORRECTION**

Deficiency “is a major deviation in implementation of one or more Unified Program elements from the expected standards set forth in statute or regulation. It is a systemic problem that could impact the safety and protection of human health and the environment.” (Cal. Code Regs., tit. 27, § 15100, subd. (k).) In addition, recommendations may be provided.

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**1. DEFICIENCY:**

The local ordinance, *Municipal Code, Chapter 13, Article III Underground Storage of Hazardous Substance*, is inconsistent and less stringent than state law as detailed in the 2021 Performance Evaluation Final Summary of Findings Report.

Note: This Deficiency was identified in the 2021 Performance Evaluation and was closed but not corrected during the Progress Report process.

**CITATION(S):**

Health & Saf. Code, §§ 25299.2, 25299.3; Cal. Code Regs., title 23, § 2620, subd. (c); [State Water Board]

**CORRECTIVE ACTION:**

Do not implement the provisions of the local ordinance that are less stringent or inconsistent with state law as identified above. If the CUPA plans to amend the ordinance provide the State Water Board with an opportunity to review.

By the 1<sup>st</sup> Progress Report, and with each subsequent Progress Report until the Deficiency is acknowledged by CalEPA as being corrected, submit an update on the status of the local ordinance being amended, or repealed.

State Water Board recommends that the CUPA:

- Develop an action plan and timeline to amend or repeal the local ordinance.
- Review the State Water Board guidance document outlining the new requirements for local ordinances and regulations as a result of the Chapter 16 rewrite.

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**2. DEFICIENCY:**

The CUPA has not established an Inspection and Enforcement (I&E) Plan.

Note: This Deficiency was identified in the 2018 and 2021 Performance Evaluations and was not corrected during the Progress Report process.

**CITATION(S):**

Cal. Code Regs., tit. 27, § 15200 [CalEPA, DTSC, OSFM, State Water Board]

**CORRECTIVE ACTION:**

By the 1<sup>st</sup> Progress Report, submit an I&E Plan that includes all the components identified in California Code of Regulations, title 27, section 15200.

CalEPA, DTSC, OSFM, and State Water Board recommend that the CUPA train staff on the I&E Plan once the Deficiency is acknowledged by CalEPA as being corrected.

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**3. DEFICIENCY:**

The CUPA has not properly implemented an efficient and cost-effective fee accountability program.

The Financial Management Procedure does not include the following fee accountability program components:

- The number of regulated businesses in each program element.
- Quantity and range of services provided.
- Non-recurring activities.
- Other funding sources that assist in covering the costs of implementing the Unified Program.

The annual Self-Audit Reports for FYs 2021/2022, 2022/2023, and 2023/2024 (that were required to contain an annual review and update of the Fee Accountability Program) were not submitted.

Note: This Deficiency was identified in the 2021 Performance Evaluation as a Deficiency (Fee Accountability) and an Incidental Finding (Self-Audit Reports) and was not corrected or resolved during the Progress Report process.

**CITATION(S):**

Cal. Code Regs., tit. 27, §§ 15210, 15220, subd. (a); [CalEPA]

**CORRECTIVE ACTION:**

By the 1st Progress Report:

- Submit a revised administrative procedure to address the issues identified above.
- Submit a Self-Audit Report for FY 2024/2025.

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**4. DEFICIENCY: CORRECTED DURING EVALUATION**

The CUPA has not inspected 13 of 35 (37%) facilities subject to the CalARP Program at least once every three years. See the list of facilities that were not inspected in Attachment 1.

Note: This Deficiency was identified in the 2021 Performance Evaluation and was not corrected during the Progress Report process.

**CITATION(S):**

Health & Saf. Code, § 25537, subd. (a); Cal. Code Regs., tit. 19, § 5140.4; [CalEPA]

**CORRECTIVE ACTION: COMPLETED**

During the evaluation, the CUPA inspected 13 of 13 facilities identified in Attachment 1. This Deficiency is considered corrected.

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**INCIDENTAL FINDINGS REQUIRING RESOLUTION**

"Incidental finding is a minor deviation in implementation of one or more Unified Program elements from the expected standards set forth in statute or regulation. It is a limited, non-systemic problem." (Cal. Code Regs., tit. 27, § 15110, subd. (f).) In addition, recommendations may be provided.

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**1. INCIDENTAL FINDING:**

The CUPA has not consistently conducted complete annual UST compliance inspections.

UST construction and inspection information was inconsistent

- CERS ID 10155429
  - Monitoring System Certification form dated March 29, 2023, marked "Check this box if no tank gauging equipment is installed," however, CERS states "Yes" for "Continuous Electronic Tank Monitoring"
- CERS ID 10489996
  - Monitoring System Certification forms dated July 25, 2023, July 9, 2024, and July 23, 2025, marked "Yes" for "Does the flow of fuel stop at the dispenser if a release is detected in the under-dispenser containment?," however, CERS cites 208 sensors
- CERS ID 10450897
  - Monitoring System Certification forms dated May 25, 2023, May 16, 2024, and May 22, 2025 states in the comments "facility is not utilizing positive shut off but instead .1-line test," however CERS states "No" for "Pipeline Integrity Testing."
- CERS ID 10174361
  - Monitoring System Certification forms dated January 11, 2023, January 11, 2024, and January 22, 2025, marked "Yes" for "Does the flow of fuel stop at the dispenser if a release is detected in the under-dispenser containment?," however, CERS cites 208 sensors

Note: This Incidental Finding was identified during the 2021 Performance Evaluation as a Deficiency and was partially corrected during the 2025 Performance Evaluation.

**CITATION(S):**

Health & Saf. Code, §§ 25299; Cal. Code Regs., tit. 23, §§ 2638, 2711, subd. (d); [State Water Board]

**RESOLUTION:**

By the 1<sup>st</sup> Progress Report, and with each subsequent Progress Report until the Incidental Finding is acknowledged by CalEPA as being corrected, submit UST facility records including the most recent annual UST compliance inspection report, and associated testing and leak detection documents, and all enforcement correspondence between the CUPA and the UST owner/operator for three most recently inspected UST facilities.

The State Water Board recommends that the CUPA:

- Determine why complete annual UST compliance inspections have not been consistently conducted.
- Establish procedures and develop tools to ensure complete annual UST compliance inspections are conducted and CME information is correctly reported to CERS.
- Identify types and frequency of training for conducting complete UST inspections. The CUPA may also request additional training from the State Water Board.

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- Revise the I&E Plan or other applicable procedure to establish a process for:
    - Conducting complete annual UST compliance inspections at all UST facilities
    - Reviewing and following up with UST testing and leak detection documents submitted by UST owners or operators as part of the annual UST compliance inspection.
    - Reviewing and following up with UST testing and leak detection documents submitted by UST owners or operators as part of the annual UST compliance inspection.
    - Documenting observed noncompliance identified during annual UST compliance inspections in UST compliance inspection reports.
    - Reporting all inspections, noncompliance identified in inspection reports, and CME information to CERS.
    - Conducting on-site annual UST compliance inspections to witness the monitoring system certification and visually inspect all UST required components.
    - Conducting remote annual UST compliance inspections when the CUPA is not on-site and cannot witness the monitoring system certification and visually confirm all UST requirements are met.
    - Ensuring UST facility owners or operators submit UST testing and leak detection documents to the CUPA within 30 days of testing.
    - Applying and documenting enforcement if the UST owner or operator fails to submit UST testing and leak detection documents to the CUPA within the required timeframe.
    - Maintaining records, including UST compliance inspection reports and testing and leak detection records for all UST facilities.
    - Reviewing the annual UST compliance inspection checklist to ensure it is consistent with UST regulations, Health and Safety Code, and the Violation Library in CERS.
    - Ensuring accurate USEPA TCR reporting.
    - Rejecting documentation that is incomplete or requires correction before accepting.
    - Ensuring and confirming equipment manufacturer certifications of technicians conduct testing.
    - Maintaining records, including UST compliance inspection reports and testing and leak detection records for all UST facilities.
    - Ensuring accurate USEPA TCR reporting.
  - Request the State Water Board review the I&E Plan or other applicable procedure and provide feedback. Once feedback is received, train UST inspection staff on revised procedure.
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## **2. INCIDENTAL FINDING:**

The CUPA has not established all Unified Program administrative procedures:

- Financial management
  - Single fee system
    - Procedures for the resolution of fee disputes: disputes involving the state surcharge that cannot be resolved locally shall be referred to the Secretary in writing for resolution and include a recommendation for resolution

Note: This Incidental Finding was identified as a component of a Deficiency in the 2021 Performance Evaluation and was not corrected during the Evaluation Progress Report process.

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**CITATION(S):**

Cal. Code Regs., tit. 27, § 15210; [CalEPA]

**RESOLUTION:**

By the 1st Progress Report, submit the administrative procedure identified above.

CalEPA recommends that the CUPA train staff on the administrative procedure once the Incidental Finding is acknowledged by CalEPA as being corrected.

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**3. INCIDENTAL FINDING:**

The CUPA has not properly processed 3 of 11 (27%) annual Onsite Hazardous Waste Treatment Notifications for PBR facilities with a FTU within 45 calendar days:

- CERS ID 10441219:
  - Notification submitted on June 19, 2023, and reviewed on January 26, 2024
- CERS ID 10468627:
  - Notification submitted on December 12, 2022, and reviewed on June 13, 2023
  - Notification submitted on December 29, 2022, and reviewed on June 13, 2023

Note: This Deficiency was identified in the 2021 Performance Evaluation and was corrected during the Progress Report process.

**CITATION(S):**

Health & Saf. Code §§ 25200.3, subd. (e)(3), 25201.5, subd. (d)(7); Cal. Code Regs, tit. 22, §§ 67450.2, subd. (b)(4), 67450.3, subds. (c)(1) & (d); [DTSC]

**RESOLUTION:**

During each Progress Report until the Deficiency is acknowledged by CalEPA as being corrected, DTSC will review information in CERS to verify recently submitted notifications are processed within the 45 days.

DTSC recommends that the CUPA:

- Determine why notifications were not processed within the required 45-days and establish processes and/or secure resources to prevent this from reoccurring.
  - Train inspection staff on how to properly process notifications within the required 45-days. TP training videos are available at:
    - Tiered Permitting Inspector Training Part 1 of 2:  
<https://www.youtube.com/watch?v=f235NwyuVOY>
    - Tiered Permitting Inspector Training Part 2 of 2:  
<https://www.youtube.com/watch?v=8pBQioflvwk>
  - The CUPA may also request additional training assistance from DTSC.
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**ATTACHMENT(S)**

To obtain a copy of any attachment(s) identified in the Final Summary of Findings Report, please contact [CUPA@calepa.ca.gov](mailto:CUPA@calepa.ca.gov).