

June 25, 2026

Jason Boaz  
Fire Chief  
Healdsburg/Sebastopol JPA  
Healdsburg Fire Department  
601 Healdsburg Avenue  
Healdsburg, California 95448-3608

Dear Mr. Boaz:

From July 2025 through February 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 Healdsburg/Sebastopol JPA Certified Unified Program Agency (CUPA) to assess the CUPA's performance and implementation of the Unified Program (2025 CUPA 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 2025 CUPA Performance Evaluation as *satisfactory with improvement needed*.

Pursuant to California Code of Regulations, title 27, section 15330, subdivision (b)(6), the CUPA shall submit each Evaluation Progress Report to CalEPA 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,

A handwritten signature in blue ink that reads "Jason Boetzer". The signature is fluid and cursive, with the first name "Jason" and last name "Boetzer" clearly legible.

Jason Boetzer  
Deputy Secretary  
Local Program Coordination and Emergency Response

Enclosure

cc sent via email:

Lance Macdonald  
Division Chief/Fire Marshal  
Healdsburg/Sebastopol JPA  
Healdsburg Fire Department  
lmacdonald@healdsburg.gov

Tom Henderson  
UST Leak Prevention Unit and  
Office of Tank Tester Licensing Manager  
State Water Resources Control Board  
Tom.Henderson@waterboards.ca.gov

Julie Pettijohn  
Environmental Program Manager  
CUPA Enforcement Branch  
Department of Toxic Substances Control  
Julie.Pettijohn@dtsc.ca.gov

Ryan Miya, Ph.D.  
Senior Environmental Scientist, Supervisor  
Department of Toxic Substances Control  
Ryan.Miya@dtsc.ca.gov

Jennifer Lorenzo  
Senior Environmental Scientist, Supervisor  
CAL FIRE - Office of the State Fire Marshal  
Jennifer.Lorenzo@fire.ca.gov

Andrew Dye, REHS  
Senior Environmental Scientist (Specialist)  
CAL FIRE – Office of the State Fire Marshal  
Andrew.Dye@fire.ca.gov

cc sent via email:

Jessica Harris  
Senior Environmental Scientist  
Department of Toxic Substances Control  
Jessica.Harris@dtsc.ca.gov

Pheleep Sidhom  
Environmental Scientist  
Department of Toxic Substances Control  
Pheleep.Sidhom@dtsc.ca.gov

Magnolia Busse  
Environmental Scientist  
State Water Resources Control Board  
Magnolia.Busse@waterboards.ca.gov

John Paine  
Environmental Program Manager  
California Environmental Protection Agency  
John.Paine@calepa.ca.gov

John Elkins  
Environmental Program Manager  
California Environmental Protection Agency  
John.Elkins@calepa.ca.gov

Melinda Blum  
Senior Environmental Scientist, Supervisor  
California Environmental Protection Agency  
Melinda.Blum@calepa.ca.gov

Elizabeth Brega  
Senior Environmental Scientist, Supervisor  
California Environmental Protection Agency  
Elizabeth.Brega@calepa.ca.gov

Garett Chan  
Environmental Scientist  
California Environmental Protection Agency  
Garett.Chan@calepa.ca.gov

Tim Brandt  
Environmental Scientist, Unified Program Evaluation Team Lead  
California Environmental Protection Agency  
Timothy.Brandt@calepa.ca.gov

## UNIFIED PROGRAM PERFORMANCE EVALUATION FINAL SUMMARY OF FINDINGS REPORT

CUPA: Healdsburg/Sebastopol JPA | Healdsburg Fire Department

2025 Evaluation Assessment: July 2025 through February 2026

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

Note: Timeframe evaluated by OSFM is July 1, 2021, through March 31, 2025

Evaluation Team Members:

- CalEPA Team Lead: Tim Brandt
- DTSC: Pheleep Sidhom, Jessica Harris
- CalEPA: Garrett Chan
- State Water Board: Magnolia Busse
- CAL FIRE-OSFM: Andrew Dye

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

In accordance with California Code of Regulations, title 27, section 15330, subdivision (b)(6), **the CUPA shall submit the first Evaluation Progress Report to CalEPA on October 12, 2026**. An Evaluation Progress Report template will be provided by the CalEPA Team Lead.

Any required subsequent Progress Report shall be submitted to CalEPA in accordance with the specified due date. With each subsequent 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:

Tim Brandt  
Phone: (916) 323-2204  
E-mail: [timothy.brandt@calepa.ca.gov](mailto:timothy.brandt@calepa.ca.gov)

**CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY**  
**UNIFIED PROGRAM PERFORMANCE EVALUATION**  
**FINAL SUMMARY OF FINDINGS REPORT**

**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.

---

**1. 2021 CUPA PERFORMANCE EVALUATION INCIDENTAL FINDING RESOLVED**

Incidental Finding 1 from the 2021 CUPA Performance Evaluation is now considered resolved and no longer requires further action: *The CUPA is not consistently ensuring UST Program related information in CERS is accurate and complete.*

---

**2. NEW UNDERGROUND STORAGE TANK (UST) REGULATIONS**

Changes to California Code of Regulations, title 23, division 3, chapter 16, went into effect January 1, 2026. For additional information see [https://www.waterboards.ca.gov/ust/leak\\_prevention/chapter16/rewrite.html](https://www.waterboards.ca.gov/ust/leak_prevention/chapter16/rewrite.html). It is anticipated that this will result in an additional workload for the CUPA. For example, the CUPA will need to update all documents related to UST regulations, including but not limited to, the I&E Plan, UST Operating Permits, applicable local ordinances, internal procedural documents, and documents issued to owner/operators. Additionally, UST inspectors will need to be trained on new inspection and enforcement procedures as a result of the regulatory changes.

---

**CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY**  
UNIFIED PROGRAM PERFORMANCE EVALUATION  
FINAL SUMMARY OF FINDINGS REPORT

**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.

---

**1. DEFICIENCY:**

The CUPA has not inspected 212 of 251 (84%) facilities subject to the Hazardous Waste Generator (HWG) Program at least once every three years as required by the inspection frequency established in the I&E Plan. See the list of facilities that were not inspected in Attachment 1.

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

**CITATION(S):**

Health & Saf. Code, § 25201.4, subd. (b)(2); Cal. Code Regs., tit. 27, §§ 15185, subd. (a), 15200, subds. (a)(2)(A), (a)(2)(B), & (e); [DTSC]

**CORRECTIVE ACTION:**

Inspect all HWG facilities, as identified in Attachment 1.

During each Progress Report, DTSC will review information in CERS to verify the HWG facilities identified in Attachment 1 have been inspected.

DTSC recommends that the CUPA:

- Determine why the inspection frequency was not met and establish processes and/or secure resources to prevent this from reoccurring.
- Prioritize the inspections that are most overdue and/or based on risk to public health, safety, and the environment.

---

**2. DEFICIENCY:**

The CUPA has not consistently followed up and documented return to compliance (RTC) information in the California Environmental Reporting System (CERS) for HWG facilities cited with violations. See the list of facilities with violations having no documented RTC in Attachment 2.

As of December 3, 2025, there is no documented RTC for:

- 27 of 32 (84%) cited violations

**CITATION(S):**

Health & Saf. Code, §§ 25185, subd. (c), 25187.8, subds. (a)-(b) & (g)-(i), 25110.8.5, 25117.6; Cal. Code Regs., tit. 27, §§ 15185, subds. (a) & (c), 15200, subds. (a), (e), & (g); [DTSC]

**CORRECTIVE ACTION:**

During each Progress Report, DTSC will review information in CERS to verify each violation identified in Attachment 2 has obtained RTC. In the absence of RTC, an indication as to whether informal or formal enforcement has been initiated for any violation identified without RTC may be provided as a narrative or by utilizing Attachment 2.

**CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY**  
UNIFIED PROGRAM PERFORMANCE EVALUATION  
FINAL SUMMARY OF FINDINGS REPORT

DTSC recommends that the CUPA:

- Determine why facilities cited with violations have not obtained RTC and establish processes and/or secure resources to prevent this from reoccurring.
- Prioritize follow up and enforcement to ensure RTC is obtained by facilities cited with violation(s) that pose the most risk to public health, safety, and the environment (e.g., Class I violations).

---

**3. DEFICIENCY:**

The CUPA has not regulated all HWG Program facilities within its jurisdiction. CERS indicates there are 113 facilities; the DTSC Hazardous Waste Tracking System (HWTS) indicates there are 148 facilities. See the list of potential additional facilities identified in HWTS (December 3, 2025) in Attachment 3.

**CITATION(S):**

Health & Saf. Code §§ 25101, subd. (d), 25404.2, subd. (a)(1)(A); Cal. Code Regs., tit. 22, §§ 67450.2, subd. (b)(4), 67450.3, subd. (c); Cal. Code Regs., tit. 27, §§ 15100, subd. (b)(3), 15200, subd. (a)(3)(A); [DTSC]

**CORRECTIVE ACTION:**

By the 1<sup>st</sup> Progress Report, contact DTSC and schedule a HWTS training.

By the 1<sup>st</sup> Progress Report and each subsequent Progress Report until the Deficiency is acknowledged by CalEPA as being corrected, update and submit Attachment 3 to indicate:

- Whether the facility is or is not a regulated HWG facility.
- How determination was made.
- Status of reporting to CERS if applicable.

DTSC recommends that the CUPA:

- Determine why all facilities within its jurisdiction that are subject to the HWG Program were not identified and establish processes and/or secure resources to prevent this from reoccurring.
- Revise the I&E Plan to ensure:
  - Review of databases including, but not limited to, CERS, HWTS, and USEPA's RCRAInfo and Biennial Reports. (See <https://hwts.dtsc.ca.gov/> and <https://rcrainfo.epa.gov/rcrainfoprod/action/secured/login.>)
  - The Building Department is contacted or any other local agency responsible for providing licenses or other grants of authority to businesses to operate including those that generate hazardous waste.
  - Site reconnaissance.

---

**4. DEFICIENCY:**

The CUPA has not inspected each facility subject to the UST Program at least once every year. The following UST facilities were not inspected at least once every year:

- 2022
  - 4 of 14 (29%)
- 2023
  - 5 of 14 (38%)

**CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY**  
UNIFIED PROGRAM PERFORMANCE EVALUATION  
FINAL SUMMARY OF FINDINGS REPORT

- 2024
  - 8 of 14 (57%)

See the list of facilities that were not inspected in Attachment 4.

The following UST facilities have not had a routine inspection in 2022 and 2023, which jeopardizes the ability for California to meet USEPA certification requirements of the Energy Policy Act of 2005 and may result in significant threat to public health, safety, or the environment.

- CERS ID 10112770
- CERS ID 10112935
- CERS ID 10113004
- CERS ID 10113073

**CITATION(S):**

Heath & Saf. Code, § 25288, subd. (a); [State Water Board]

**CORRECTIVE ACTION:**

Inspect all UST facilities that have not been inspected at least once every year, as identified in Attachment 4.

During each Progress Report, State Water Board will review information in CERS to verify all UST facilities have been inspected.

State Water Board recommends the CUPA:

- Determine why the inspection frequency was not met and establish processes and/or secure resources to prevent this from reoccurring.
- Prioritize the inspections that are the most overdue and/or based on the risk to public health, safety, and the environment.
- Monitor the "UST Routine Inspection Frequency Search" report generated from CERS to ensure facilities are inspected at least once every year.

---

**5. DEFICIENCY:**

The CUPA has not accurately reported UST compliance inspection, technical compliance rate (TCR), and abandoned tank information in Paperless Report 6 and CERS.

- UST Facilities reported as inspected in 2024:
  - Report 6: 42%
  - CERS Routine UST Inspection Frequency Search report (October 21, 2025): 100%
- UST Facilities routine inspection reported after the regulatory deadline:
  - CERS ID 10112770
    - August 8, 2022, routine inspection reported to CERS November 6, 2025
    - December 11, 2023, routine inspection reported to CERS November 11, 2025
  - CERS ID 10112935
    - July 7, 2023, routine inspection reported to CERS November 6, 2025
    - July 15, 2024, routine inspection reported to CERS February 2, 2025
  - CERS ID 10113004
    - December 9, 2022, routine inspection reported to CERS November 6, 2025
    - December 11, 2023, routine inspection reported to CERS November 11, 2025

**CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY**  
UNIFIED PROGRAM PERFORMANCE EVALUATION  
FINAL SUMMARY OF FINDINGS REPORT

- CERS ID 10113073
  - December 28, 2022, routine inspection reported to CERS November 6, 2025
  - December 26, 2023, routine inspection reported to CERS November 6, 2025
- USEPA TCR Violation not recorded due to routine inspection reported after the regulatory deadline:
  - Violation Type Number 2060020 (USEPATCR 9a)
    - CERS ID 10399522 cited May 23, 2024
      - Routine inspection reported to CERS February 14, 2025
    - CERS ID 10112935 cited July 25, 2023
      - Routine inspection reported to CERS November 6, 2025
  - Violation Type Number 2030075 (USEPATCR 9d)
    - CERS ID 10113073 cited December 28, 2022
      - Routine inspection reported to CERS November 6, 2025
  - Violation Type Number 2030043 (USEPA TCR 9d)
    - CERS ID 10112935 cited July 15, 2024
      - Routine inspection reported to CERS February 2, 2025
- USEPA TCR Violations that have no documented RTC were not reissued during the subsequent routine UST inspections and are not reported in Report 6:
  - Violation Library Type Number 2030025 (USEPATCR 9d)
    - CERS ID 10113028 cited February 16, 2022 and February 28, 2023
  - Violation Library Type Number 2030043 (USEPATCR 9d)
    - CERS ID 10113028 cited February 16, 2022
    - CERS ID 10112935 cited July 15, 2024
  - Violation Library Type Number 2060015 (USEPATCR 9d)
    - CERS ID 10113028 cited February 16, 2022
  - Violation Library Type Number 2060020 (USEPATCR 9a)
    - CERS ID 10113073 cited December 14, 2021

Removed UST not reported to CERS:

- 327 Petaluma Blvd., Sebastopol
  - Abandoned UST removed May 10, 2022, identified as abandoned to the CUPA on January 29, 2021

**CITATION(S):**

Before January 1, 2026: Health & Saf. Code, § 25404, subd. (e)(4); Cal. Code Regs., tit 23, §§ 2713, subd. (c)(3) & (d); [State Water Board]

As of January 1, 2026: Health & Saf. Code § 25404, subd. (e)(4); Cal. Code Regs., tit 23, 2692(a)(3) & (b); [State Water Board]

**CORRECTIVE ACTION:**

Accurately report UST compliance inspection information to CERS to ensure Report 6 is accurate.

During each Progress Report the State Water Board will review Report 6 for two consecutive Report 6 reporting periods.

By the 1<sup>st</sup> Progress Report, and with each subsequent Progress Report, submit facility files, including testing and associated testing documentation for three UST facilities that were inspected during the corresponding Report 6 period.

**CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY**  
UNIFIED PROGRAM PERFORMANCE EVALUATION  
FINAL SUMMARY OF FINDINGS REPORT

State Water Board recommends that the CUPA:

- Determine why Report 6 and CERS CME information have inconsistent UST compliance inspection information and establish processes and/or secure resources to ensure accurate reporting.
  - Review and revise the Data Management procedure or other applicable procedure to ensure the establishment of a process, which addresses collecting, retaining, managing, and reporting inspection information in CERS and how the UST compliance information is accurately reported in Report 6.
  - Request that the State Water Board review the Data Management Procedure or other applicable procedure and provide feedback.
  - Train UST inspection staff on the revised Data Management Procedure or other applicable procedure.
  - Reach out to the State Water Board for Report 6 or CERS CME reporting training.
- 

**6. DEFICIENCY:**

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

Noncompliance not cited as a violation in an inspection report or CERS:

- CERS ID 10117264
  - Monitoring System Certification Form dated October 12, 2023, section 9 Comments, states "Corrected on site: Adjusted Regular product VMI Leak Detector." Violation Library Type Number 2030025 (USEPATCR 9d) was not cited
- CERS ID 10112884
  - Secondary Containment Testing Report Form dated October 22, 2024, states failures for the transition box and sump diesel. Violation Library Type Number 2030047 (USEPA Priority) was not cited
- CERS ID 10113073
  - Spill Container Testing Report Form dated December 30, 2024, states "Replaced 87-1 fill cap gasket." Violation Library Type Number 2060020 (USEPA 9a) was not cited
- CERS ID 10399522
  - Monitoring System Certification Form dated May 25, 2023, states "Remove small amount of liquid from Regular and Super STP Sumps. Replaced 794380-208 liquid sensors Super Fill and Vent Sump." Violation Library Type Numbers 2030008 and 2030043 were not cited

Violation incorrectly cited:

- CERS ID 10112785
  - Violation Library Type Number 2010017 was incorrectly cited in the inspection report dated February 24, 2023, in lieu of Violation Library Type Number 2060020 (USEPATCR 9a)
- CERS ID 10112884
  - Violation Library Type Number 2060012 (USEPATCR 9d) was incorrectly cited in the inspection report dated October 22, 2024, in lieu of Violation Library Type Number 2030043 (USEPATCR 9d)

**CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY**  
UNIFIED PROGRAM PERFORMANCE EVALUATION  
FINAL SUMMARY OF FINDINGS REPORT

- CERS ID 10113073
  - Violation Library Type Number 2030075 (USEPATCR 9d) was incorrectly cited in the inspection report dated December 12, 2022, in lieu of Violation Library Type Number 2030043 (USEPATCR 9d)
  - Violation Library Type Number 2030047 (USEPA Priority) was incorrectly cited in the inspection report dated December 26, 2023, in lieu of Violation Library Type Number 2060020 (USEPATCR 9a)
- CERS ID 10122994
  - Violation Library Type Number 2030003 (USEPA Priority) was incorrectly cited in the inspection report dated October 22, 2024, in lieu of Violation Library Type Number 2030043 (USEPATCR 9d)

UST testing results include incomplete or inaccurate information:

- CERS ID 10112773
  - Spill Container Testing Result Form dated January 19, 2024, does not include spill container manufacturer or results in section 6, Spill Container Details, for Clear Diesel or Red Diesel. Method of cathodic protection for 91 Gasoline, Clear Diesel, or Red Diesel is not identified
- CERS ID 10112884
  - Monitoring System Certification Forms dated October 20, 2022, October 23, 2023, and October 22, 2024, does not include results for section 8, In-Take Gauging Testing, however, CERS identifies ATG monitoring

UST construction and inspection information was inconsistent:

- CERS ID 10112680
  - Monitoring System Certification Forms dated March 7, 2023, March 21, 2024, and March 19, 2025, section 6 Sensor Testing Results, states 208 sensors monitoring dispensers, however, CERS states 322 sensors
- CERS ID 10112773
  - Monitoring System Certification Forms dated February 1, 2023, February 1, 2024, and February 27, 2025, Section 6 Sensor Testing Results, states L5 and L6 Annular sensors as 208, however CERS states 420 sensors
- CERS ID 10113028
  - Overfill Prevention Equipment (OPE) Inspection Report Form dated February 1, 2024, states OPE response as "Restricts Flow," however, CERS states the OPE response as Fill Tube Shut-Off Valve
- CERS ID 10117264
  - Monitoring System Certification Form dated October 18, 2022, Section 6 Sensor Testing Results, states 420 and 280 sensor results, however, CERS states all sensors are 420
- CERS ID 10122994
  - Monitoring System Certification Forms dated October 20, 2022, and October 23, 2023, Section 7 Line Leak Detector Testing, states VMI and Veeder Root line leak detectors, however, CERS states all line leak detectors as FE Petro
- CERS ID 10132141
  - Monitoring System Certification Forms dated August 11, 2022, August 8, 2023, and August 20, 2024, Section 6 Sensor Testing Results, states 407 annular sensors, however, CERS states 420 sensors

**CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY**  
UNIFIED PROGRAM PERFORMANCE EVALUATION  
FINAL SUMMARY OF FINDINGS REPORT

- CERS ID 10399522
  - Overfill Prevention Equipment (OPE) Inspection Report Form dated June 24, 2024, states OPE response as "Restrict Flow and Audible/Visual Alarm," however, CERS states the OPE response as only Audible/Visual alarm

UST testing documents indicate International Council Code (ICC) technicians did not use required forms:

- CERS ID 10113028
  - Secondary Containment Testing Report Forms dated October 5, 2023, and October 6, 2023
- CERS ID 10112785
  - Secondary Containment Testing Report Form dated February 24, 2023

UST compliance inspection reports were not maintained:

- CERS ID 10112935
  - 2023 Routine Inspection Report
- CERS ID 10113004
  - 2022 and 2023 Routine Inspection Report Forms

UST testing leak detection records were not maintained:

- CERS ID 10112770
  - Secondary Containment Testing Report Forms prior to 2025
- CERS ID 10112773
  - 2023 Spill Containment Testing Report Form
  - Last two Secondary Containment Testing Report Forms
- CERS ID 10112785
  - 2024 Overfill Prevention Equipment Inspection Report Form
- CERS ID 10113004
  - 2021 Secondary Containment Testing Report Form
  - 2022 Monitoring System Certification Report Form
- CERS ID 10113073
  - 2024 Overfill Prevention Equipment Inspection Report Form
- CERS ID 10117264
  - 2024 Overfill Prevention Equipment Inspection Report Form
- CERS ID 10122994
  - Last two Secondary Containment Testing Report Forms
- CERS ID:10133794
  - Last two Secondary Containment Testing Report Forms
- CERS ID 10399522
  - 2021 Overfill Prevention Equipment Inspection Form
  - 2023 Monitoring System Certification Form
  - 2023 Spill Containment Testing Report Form

UST testing and leak detection violations have not obtained RTC within 60 days. Cited violations during the following years have not obtained RTC:

- 2022
  - 3 of 5 (60%)
- 2023
  - 1 of 1 (100%)

**CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY**  
UNIFIED PROGRAM PERFORMANCE EVALUATION  
FINAL SUMMARY OF FINDINGS REPORT

- 2024
  - 5 of 9 (56%)

**CITATION(S):**

Before January 1, 2026: Health & Saf. Code §§ 25284.2, 25288, 25299; Cal. Code Regs., tit. 23, §§ 2637, 2637.1, 2637.2, 2638, 2641, 2643; [State Water Board]

As of January 1, 2026: Health & Saf. Code §§ 25284.2, 25288, 25299; Cal. Code Regs., tit. 23, §§ 2660, 2663, 2665; [State Water Board]

**CORRECTIVE ACTION:**

By the 1<sup>st</sup> Progress Report, and with each subsequent Progress Report, 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 the 3 most recently inspected UST facilities.

State Water Board recommends 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.
- 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.
  - 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.
  - 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.
  - Maintaining records, including UST compliance inspection reports and testing and leak detection records for all UST facilities.
  - Ensuring accurate USEPA TCR reporting.

**CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY**  
UNIFIED PROGRAM PERFORMANCE EVALUATION  
FINAL SUMMARY OF FINDINGS REPORT

**7. DEFICIENCY:**

The CUPA issued UST Permits that are inconsistent with the valid timeframe of 60 months as established in Cal. Code Regs., tit. 23, § 2712(c).

- Permits issued November 1, 2019, for the valid timeframe of November 1, 2019, expiring November 30, 2025.

**CITATION(S):**

Before January 1, 2026: Cal. Code Regs., tit. 23, § 2712; [State Water Board]

As of January 1, 2026: Cal. Code Regs., tit. 23 § 2691 subd. (b); [State Water Board]

**CORRECTIVE ACTION:**

By the 1<sup>st</sup> Progress Report, submit a revised UST Permit issuance procedure that addresses the issue identified above.

Once the revised UST Permit issuance procedure is determined acceptable by the State Water Board, submit the UST Permit issued to 3 UST facilities using the revised UST Permit issuance procedure.

---

**8. DEFICIENCY:**

The local ordinance, Chapter 8.16 Underground Storage of Hazardous Substances and Chapter 20 Certified Unified Program Agency (CUPA), is inconsistent with state law as detailed in the 2021 Performance Evaluation Final Summary of Findings Report.

Note: During the 2021 Performance evaluation Progress Report process, the CUPA provided a timeline to revise, draft, and repeal the local ordinance.

**CITATION(S):**

Before January 1, 2026: Health and Saf. Code, §§ 25288, 25290.1, 25290.2, 25291, 25292, 25295, 25298, 25299.2, 25299.3; Cal. Code Regs., tit. 23, § 2713(a) [State Water Board]

As of January 1, 2026: Health and Saf. Code, §§ 25288, 25290.1, 25290.2, 25291, 25292, 25295, 25298, 25299.2, 25299.3; Cal. Code Regs., tit. 23, § 2671 [State Water Board]

**CORRECTIVE ACTION:**

Do not implement the provisions of the local ordinance that are inconsistent with state law. 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, 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.
- After the ordinance has been amended or repealed notify UST owners and operators of the change in the law.
- Review the State Water Board guidance document outlining the new requirements for local ordinances and regulations as a result of the revisions to California Code of Regulations, title 23, chapter 16. Local Ordinance guidance may be found at: [https://www.waterboards.ca.gov/ust/leak\\_prevention/lgs/docs/lg201.pdf](https://www.waterboards.ca.gov/ust/leak_prevention/lgs/docs/lg201.pdf)

**CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY**  
UNIFIED PROGRAM PERFORMANCE EVALUATION  
FINAL SUMMARY OF FINDINGS REPORT

**9. DEFICIENCY:**

The CUPA has not inspected 174 of 232 (75%) facilities subject to the Hazardous Materials Business Plan (HMBP) Program at least once every three years. See the list of facilities that were not inspected in Attachment 5.

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

**CITATION(S):**

Health & Saf. Code, § 25511, subd. (b); [CalEPA]

**CORRECTIVE ACTION:**

During the evaluation, as of April 9, 2026, the CUPA inspected 31 of 174 facilities identified in Attachment 5; 143 remain uninspected.

Inspect all HMBP facilities, as identified in Attachment 5.

During each Progress Report, CalEPA will review information in CERS to verify the HMBP facilities identified in Attachment 5 have been inspected.

CalEPA recommends that the CUPA:

- Determine why the inspection frequency was not met and establish processes and/or secure resources to prevent this from reoccurring.
- Prioritize the inspections that are the most overdue and/or based on risk to public health, safety, and the environment.

---

**10. DEFICIENCY:**

The CUPA has not ensured each facility subject to HMBP reporting requirements has annually submitted an HMBP or no-change certification in CERS as identified in Attachment 6. In summary:

- 107 of 232 (46%) HMBP facilities have not submitted an inventory or a no-change certification
- 105 of 228 (46%) HMBP facilities have not submitted emergency response and employee training plans or a no-change certification

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

**CITATION(S):**

(1) Health & Saf. Code §§ 25505, subd. (a), 25508, 25508.2; [CalEPA]

**CORRECTIVE ACTION:**

During the evaluation:

- 15 of 107 HMBP facilities submitted an inventory or a no-change certification, 92 have not submitted or certified
- 12 of 105 HMBP facilities submitted emergency response and employee training plans or a no-change certification, 93 have not submitted or certified

**CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY**  
UNIFIED PROGRAM PERFORMANCE EVALUATION  
FINAL SUMMARY OF FINDINGS REPORT

Ensure each facility identified in Attachment 6 submits an HMBP or no-change certification to CERS, and apply enforcement as established in the I&E Plan for facilities that do not submit an HMBP or no-change certification to CERS.

During each Progress Report, CalEPA will review information in CERS to verify each facility identified in Attachment 6 has submitted an HMBP or no-change certification. In the absence of an HMBP submittal or no-change certification, an indication as to whether informal or formal enforcement has been initiated may be provided as a narrative or by utilizing Attachment 6.

CalEPA recommends that the CUPA develop and implement a procedure for following up with each facility that has not annually submitted an HMBP or no-change certification to CERS, including, but not limited to, notifying the facility and applying enforcement.

---

**11. DEFICIENCY:**

The CUPA has not inspected Aboveground Petroleum Storage Act (APSA) tank facilities at least once every three years:

- 10,000 gallons or more of petroleum (Spill Prevention, Control, and Countermeasure Plan:
  - 2 of 2 (100%)
- Other APSA tank facilities:
  - 9 of 10 (90%)
    - 1 APSA tank facility has never been inspected

See the list of facilities that were not inspected in Attachment 7.

**CITATION(S):**

Health & Saf. Code, §§ 25270.5, subds. (a) & (b); Cal. Code Regs., tit. 19, §§ 1609, 1610; Cal. Code Regs., tit. 27, § 15200, subd. (a)(2)(F); [OSFM]

**CORRECTIVE ACTION:**

During the evaluation, as of March 5, 2026, the CUPA inspected:

- 1 of 9 other APSA tank facilities identified in Attachment 7; 8 facilities remain uninspected.

Inspect all APSA tank facilities, as identified in Attachment 7.

During each Progress Report, OSFM will review information in CERS to verify the APSA tank facilities identified in Attachment 7 have been inspected.

OSFM recommends that the CUPA:

- Determine why the inspection frequency was not met and establish processes and/or secure resources to prevent this from reoccurring.
- Prioritize the inspections that are most overdue and/or based on risk to public health, safety, and the environment.

**CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY**  
UNIFIED PROGRAM PERFORMANCE EVALUATION  
FINAL SUMMARY OF FINDINGS REPORT

**12. DEFICIENCY:**

The CUPA has not ensured each APSA tank facility subject to HMBP reporting requirements has annually submitted an HMBP to CERS as identified in Attachment 8. In summary:

- 5 of 13 (38%) APSA tank facilities have not submitted an inventory
- 5 of 13 (38%) APSA tank facilities have not submitted emergency response and employee training plans

**CITATION(S)**

Health & Saf. Code, §§ 25508, subd. (a)(1)(B), 25270.6, subd. (a); [OSFM]

**CORRECTIVE ACTION:**

During the evaluation:

- 1 of 5 APSA tank facilities submitted an inventory; 4 have not submitted.
- 1 of 5 APSA tank facilities submitted emergency response and employee training plans; 4 have not submitted.

Ensure each APSA tank facility identified in Attachment 8 submits an HMBP to CERS, and apply enforcement as established in the I&E Plan for facilities that do not submit an HMBP to CERS. During each Progress Report, OSFM will review information in CERS to verify each APSA tank facility identified in Attachment 8 has submitted an HMBP. In the absence of an HMBP submittal, an indication as to whether formal enforcement has been initiated may be provided as a narrative or by utilizing Attachment 8.

OSFM recommends that the CUPA develop and implement a procedure for following up with each APSA tank facility that has not annually submitted an HMBP to CERS including, but not limited to, notifying the facility and applying enforcement.

---

**13. DEFICIENCY:**

The CUPA did not submit annual Self-Audit Reports for FY 2021/2022, FY 2022/2023, and FY 2023/2024.

**CITATION(S):**

Cal. Code Regs., tit. 27, § 15280, subd. (c); [CalEPA]

**CORRECTIVE ACTION:**

By the 1<sup>st</sup> Progress Report, submit a Self-Audit Report for FY 2025/2026.

---

**CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY**  
UNIFIED PROGRAM PERFORMANCE EVALUATION  
FINAL SUMMARY OF FINDINGS REPORT

**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.

---

**1. INCIDENTAL FINDING:**

The CUPA is not ensuring all USTs are in compliance with the design, construction, monitoring, and testing requirements.

- CERS Tank IDs 10399522-001, -002, -003
  - UST systems installed between January 1, 1987, and June 30, 2003, with single-walled riser/fill piping construction:
  - UST systems installed between July 1, 1987, and June 30, 2003, with single-walled riser/fill piping and equipped with only audible/visual alarms with no ball float or fill tube shut-off valve:

**CITATION(S):**

Before January 1, 2026: Health & Saf. Code, § 25290.2, 25291 Cal. Code Regs., tit. 23 §§ 2635, subd. (a), and 2636, subd. (a), and 2665, subd. (c); [State Water Board]

As of January 1, 2026: Health & Saf. Code, § 25290.2, 25291 Cal. Code Regs., tit. 23 § 2640 subd. (b) & (f)(1), 2665, & 2666 [State Water Board]

**RESOLUTION:**

Ensure UST owners/operators of the USTs identified above obtain compliance with design, construction, monitoring and testing requirements, and apply enforcement (e.g., revocation of UST Permit and issuance of red tag), as established in the I&E Plan for USTs that do not obtain compliance. Ensure RTC and enforcement actions are reported to CERS.

By the 1<sup>st</sup> Progress Report, and with each subsequent Progress Report, submit a list of USTs utilizing the incorrect or incomplete design, construction, monitoring and testing that includes the CERS UST Tank IDs and a narrative describing the follow-up actions and applied enforcement taken to ensure USTs are in compliance with the requirements described above.

During each Progress Report, the State Water Board will review information submitted by the CUPA and in CERS to verify each UST is in compliance with design, construction, monitoring and/or testing requirements as described above, or enforcement has been applied for USTs that do not obtain RTC (e.g., revocation of UST Permit and issuance of red tag).

---

**2. INCIDENTAL FINDING:**

The 2024 UST Compliance Inspection Report was received after the regulatory deadline of January 31, 2025.

**CITATION(S):**

Before January 1, 2026: Cal. Code Regs., tit. 23 § 2713(d) [State Water Board]

As of January 1, 2026: January 1, 2026: Cal. Code Regs., tit. 23 § 2692(b)(1) [State Water Board]

**RESOLUTION:**

Ensure UST Compliance Inspection Reporting is submitted in accordance with the regulatory deadline.

**CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY**  
UNIFIED PROGRAM PERFORMANCE EVALUATION  
FINAL SUMMARY OF FINDINGS REPORT

During each Progress Report, the State Water Board will ensure the UST Compliance Inspection Report has been submitted by the regulatory deadline.

---

**3. INCIDENTAL FINDING:**

The CUPA has not consistently inspected abandoned USTs and accurately reported TCR violation information.

- 327 Petaluma Blvd., Sebastopol
  - TCR criteria violation was not reported to CERS in 2021 or 2022
  - Inspection not conducted in 2021 or 2022

Note: The property at 327 Petaluma Blvd., Sebastopol, was not reported to CERS and marked as applicable for reporting and inspection purposes within 30 days of discovery. Please reference CERS FAQ: [Should abandoned USTs be reported to CERS?](https://www.waterboards.ca.gov/ust/cers/ru06_abandoned_usts.html) ([https://www.waterboards.ca.gov/ust/cers/ru06\\_abandoned\\_usts.html](https://www.waterboards.ca.gov/ust/cers/ru06_abandoned_usts.html))

**CITATION(s):**

Before January 1, 2026: Health & Saf. Code, §§ 25288, subd. (a), 25298; Cal. Code Regs., tit. 23, § 2672; [State Water Board]

As of January 1, 2026: Health & Saf. Code, §§ 25288, subd. (a), 25298; Cal. Code Regs., tit. 23, § 2682 subd. (b); [State Water Board]

**RESOLUTION:**

Inspect the abandoned UST identified above and ensure TCR criteria violations are issued. Report abandoned USTs to CERS within 30 days of discovery.

By the 1<sup>st</sup> Progress Report, submit a revised I&E Plan or other applicable procedure to establish a process for inspections and enforcement including:

- Conducting annual UST compliance inspections;
  - Reporting TCR information in Report 6 and CERS;
  - Applying appropriate enforcement;
  - Ensuring future abandoned USTs are reported to CERS and have the UST element set to "Applicable" in CERS until the UST closure is completed; and
  - Ensure proper closure of abandoned USTs
- 

**4. INCIDENTAL FINDING:**

The CUPA has not consistently implemented UST closure requirements.

Closure documentation was not provided to the UST owner/operator:

- 327 Petaluma Blvd., Sebastopol
  - One UST and piping was removed on May 10, 2022
    - The following was not provided:
      - Documentation of proper disposal of residual liquids, solids, or sludges removed
      - Documentation of proper disposal of the removed UST
      - Required soil sample results and analysis

**CITATION(s):**

Before January 1, 2026: Health & Saf. Code, § 25298, subd. (c); Cal. Code Regs., tit. 23, §§ 2670, 2672, subd. (d); [State Water Board]

**CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY**  
UNIFIED PROGRAM PERFORMANCE EVALUATION  
FINAL SUMMARY OF FINDINGS REPORT

As of January 1, 2026: Health & Saf. Code, § 25298, subd. (c); Cal. Code Regs., tit. 23, §§ 2681, subd. (g), 2684; [State Water Board]

**RESOLUTION:**

Revise the UST closure procedure, to ensure the establishment of a process, which includes how the CUPA will:

- Require documentation from the UST owner/operator that all residual liquid, solids, or sludges removed were handled as hazardous waste or recyclable materials in accordance with Health and Safety Code, chapter 6.7.
- Ensure closures are being accurately reported to CERS.

By the 1<sup>st</sup> Progress Report, submit UST closure documentation for the next UST removals or closures in place. If no UST closure activities are conducted during the Progress Report period, CalEPA will consider this Incidental Finding corrected after the CUPA submits a revised UST closure procedure.

---

**5. INCIDENTAL FINDING:**

The CUPA has not consistently followed up and documented RTC information in CERS for APSA tank facilities cited with violations.

As of July 7, 2025, there is no documented RTC for:

- CERS ID 10112689
  - Violation Library Type Number 4020001: Inspection Report dated March 14, 2022
- CERS ID 10112824
  - Violation Library Type Number 4010021: Inspection Report dated March 21, 2022
- CERS ID 10113043
  - Violation Library Type Number 4030041: Inspection Report dated March 10, 2022

**CITATION(S):**

Health & Saf. Code § 25270.4.5, subd. (a), 25404.1.2, subd. (c); Cal. Code Regs., tit. 19, § 1612, subds. (e) & (f); Cal. Code Regs., tit. 27, §§ 15185, subds. (a)-(c), 15200, subds. (a), (e), & (g) [OSFM]

**CORRECTIVE ACTION**

Ensure each APSA tank facility identified above obtains RTC and apply enforcement as established in the I&E Plan for facilities that do not obtain RTC. Ensure RTC and enforcement actions are reported to CERS.

During each Progress Report, OSFM will review information in CERS to verify each violation identified above has obtained RTC. In the absence of RTC, an indication as to whether formal enforcement has been initiated for any APSA violation identified without RTC may be provided as a narrative.

OSFM recommends that the CUPA:

- Determine why facilities cited with violations have not obtained RTC and establish processes and/or secure resources to prevent this from reoccurring.
- Prioritize follow up and enforcement to ensure RTC is obtained by facilities cited with violation(s) that pose the most risk to public health, safety, and the environment (e.g., Class I violations).

**CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY**  
UNIFIED PROGRAM PERFORMANCE EVALUATION  
FINAL SUMMARY OF FINDINGS REPORT

**6. INCIDENTAL FINDING:**

The CUPA did not submit quarterly Surcharge Transmittal Reports to CalEPA within 30 days of the end of each state fiscal quarter (FQ):

- Fiscal Year (FY) 2022/2023
  - 1<sup>st</sup> FQ
    - Due October 30<sup>th</sup>, 2022 (submitted December 22<sup>nd</sup>, 2022)
  - 2<sup>nd</sup> FQ
    - Due January 30<sup>th</sup>, 2023 (submitted March 15<sup>th</sup>, 2023)
  - 3<sup>rd</sup> FQ
    - Due April 30<sup>th</sup>, 2023 (submitted July 5<sup>th</sup>, 2023)
- Fiscal Year (FY) 2023/2024
  - 2<sup>nd</sup> FQ
    - Due January 30<sup>th</sup>, 2024 (submitted March 19<sup>th</sup>, 2024)
- Fiscal Year (FY) 2024/2025
  - 1<sup>st</sup> FQ
    - Due October 30<sup>th</sup>, 2024 (submitted November 19<sup>th</sup>, 2024)

**CITATION(S):**

Cal. Code Regs., tit. 27, §§ 15250, subd. (b), 15290; [CalEPA]

**RESOLUTION:**

Submit quarterly Surcharge Transmittal Reports and remittances within 30 days of the end of each state FQ.

By the 1<sup>st</sup> Progress Report, submit the 3<sup>rd</sup> Surcharge Transmittal Report for FY 2025/2026 and any state surcharge remittance to:

Air Resources Board  
Attn: Accounting  
P.O. Box 1436  
Sacramento, CA 95812

Send a copy of the 3<sup>rd</sup> Surcharge Transmittal Report for FY 2025/2026 to [cupa@calepa.ca.gov](mailto:cupa@calepa.ca.gov).

---

**7. INCIDENTAL FINDING:**

The Inspection and Enforcement (I&E) Plan is incomplete:

- Procedures for addressing complaints, including but not limited to the receipt, investigation, enforcement, and closure of a complaint
  - Page 10 states various methods for receiving complaints
    - Procedures for investigating, enforcing, and closure of a complaint are not addressed.
- Provisions for ensuring the CUPA has sampling capability, which may include sampling by a qualified person and ensuring the analysis of any material shall be performed by a state certified laboratory
  - Pages 5-13 states the samples are sent to a State certified laboratory.
    - No other information regarding sampling is provided.

**CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY**  
UNIFIED PROGRAM PERFORMANCE EVALUATION  
FINAL SUMMARY OF FINDINGS REPORT

The I&E Plan is inaccurate:

- Page 25, Section VIII. Revocation, Modification or Suspension of Permit and sections A and B reference suspension of permit.
  - Suspension of permit is inconsistent with Cal. Code Regs.
- Page 26, Section X. Red Tag Procedures (USTs only), subsection A.1. states that no owner or operator may deposit or allow for the deposit of any petroleum product.
  - While a red tag is affixed there may not be a deposit or withdrawal of product.
- Page 33, Section C, Initial Penalties, identifies the minimum penalty for the UST Program as \$0.
  - Minimum penalty is not less than \$500 and no more than \$5000 for each UST, for each day of violation, for each violation.

Note: This Deficiency was identified in the 2021 Performance Evaluation and was not corrected during the Progress Report process. A memo outlining the summary of updates was submitted, however the revised I&E Plan was not provided.

**CITATION(S):**

Cal. Code Regs., tit. 27, § 15200; Health and Saf. Code, §§ 25285.1, 25292.3, 25299 [CalEPA, DTSC, State Water Board]

**RESOLUTION:**

By the 1<sup>st</sup> Progress Report, submit a revised I&E Plan that addresses the incomplete and inaccurate information identified above.

CalEPA, DTSC, and the State Water Board recommend that the CUPA train staff on the revised I&E Plan once the Deficiency is corrected.

---

**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).