CalEPA
California Environmental Protection Agency

Gavin Newsom
Governor

Yana Garcia
Secretary for Environmental Protection

August 10, 2026

Hayes Morehouse
Water Pollution Control Plant Manager
San Leandro Environmental Services
300 Davis Street
San Leandro, California 94577

Dear Mr. Morehouse:

From November 2025, through June 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 San Leandro Environmental Services 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*.

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. 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.

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: San Leandro Environmental Services

2025 Evaluation Assessment: November 2025, through June 2026

Timeframe Evaluated: October 1, 2022, through September 30, 2025
(Note timeframe evaluated by OSFM is October 1, 2021, through September 30, 2025)

Evaluation Team Members:
- CalEPA Team Lead: Jessica Snow
- DTSC: Mia Goings
- CalEPA: Garett Chan
- State Water Board: Magnolia Busse
- CAL FIRE-OSFM: Andrew Dye

Rating: The Unified Program implementation and performance of the CUPA is considered *satisfactory*.

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 November 13, 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:

Jessica Snow
Phone: (916) 460-2394
E-mail: jessica.snow@calepa.ca.gov

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. **ENFORCEMENT COORDINATION:**
   The CUPA took enforcement action against a facility (CERS ID 10151725) in 2024. Throughout the process the CUPA worked closely with the Alameda County Fire Protection Services (ALCO FP) early on regarding violations in the Hazardous Materials Business Plan (HMBP), Hazardous Waste Generator (HWG), and Aboveground Petroleum Storage Act (APSA) Programs. The CUPA and ALCO FP coordinated joint agency inspections. As a result of the combined enforcement efforts, each agency ensured the facility obtained compliance.

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2. **APSA PROGRAM IMPLEMENTATION:**
   Since the 2021 CUPA performance evaluation, the CUPA has met the mandated triennial inspection frequency for APSA tank facilities storing 10,000 gallons or more of petroleum. The CUPA has also met the triennial inspection frequency for APSA tank facilities storing less than 10,000 gallons of petroleum in accordance with the Inspection and Enforcement (I&E) Plan.

   The CUPA ensured APSA tank facilities annually submitted a tank facility statement or an HMBP, in lieu of a tank facility statement, to the California Environmental Reporting System (CERS). The CUPA also ensured each APSA tank facility submitted the APSA Facility Information to CERS.

   The CUPA 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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3. **RETURN TO COMPLIANCE (RTC) DOCUMENTATION AND FOLLOW UP:**
   The CUPA demonstrated commendable efforts to ensure that HWG Program facilities obtained 100% RTC for cited violations. Follow-up activity and enforcement actions are very well documented and clearly detail the progress made by facilities to obtain RTC, as well as the willingness and availability of the CUPA to assist facilities in addressing cited violations. Communication with facility representatives is courteous, professional, and CUPA personnel offer guidance to facility representatives to maintain and obtain compliance that is easy to understand.

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4. **NEW UNDERGROUND STORAGE TANK (UST) REGULATIONS:**
   Changes to the 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. It is anticipated that this will result in an additional workload to 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 owners/operators. Additionally, UST inspectors will need to be trained on new inspection and enforcement procedures as a result of the regulatory changes.

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5. QUALITY OF ADMINISTRATIVE & PROCEDURAL DOCUMENTS:

The Unified Program administrative and procedural documents established by the CUPA consistently meet or surpass the requirements set forth in California Code of Regulations (CCR), Title 27. The CUPA is consistent in adhering to the requirements for reporting information to CERS and CalEPA. As a result of this attention to detail, CalEPA cited no deficiencies or findings relating to the administrative, procedural, and reporting requirements of Title 27 during this Performance Evaluation.

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 CUPA has not consistently conducted complete annual UST compliance inspections.

   Noncompliance not cited as a violation in an inspection report or CERS:
   - CERS ID 10146155
     - Secondary Containment Testing Report form dated September 14, 2022, states multiple failures. Violation Library Type Number #2030047 was not cited.
   - CERS ID 10405024
     - No violation for missing overfill prevention equipment on waste oil UST during routine inspections performed October 27, 2022, October 30, 2023. Violation Library Type Number #2030036 (USEPATCR 9b) was not cited.
   - CERS ID 10407307
     - Overfill Prevention Equipment Inspection Report form dated March 26, 2024, states multiple failures. Violation Library Type Number #2030036 (USEPATCR 9b) was not cited.
   - CERS ID 10443646
     - Monitoring System Certification Form dated February 22, 2024, states a line leak detector failure for T4. Violation Library Type Number #2030025 (USEPATCR 9d) was not cited.
   - CERS ID 10449379
     - Monitoring System Certification Forms dated December 19, 2022, December 20, 2023, and December 18, 2024, do not include results for an ATG for a single-walled UST. Violation Library Type Number #2060002 (USEPATCR 9d) was not cited.

   UST construction and inspection information was inconsistent:
   - CERS ID 10154081
     - Monitoring System Certifications dated September 26, 2023, September 24, 2024, and September 25, 2025, identify the piping sump sensor as 205 model, however, CERS identifies the sensor model as 208.
   - CERS ID 10449379
     - Overfill Prevention Equipment Inspection Report dated December 20, 2023, identifies results for a fill tube shut-off valve, while CERS has the overfill protection method as exempt.
   - CERS ID 10487614
     - Overfill Prevention Equipment Inspection Report dated February 12, 2025, identifies overfill prevention model as ball float, but gives results for fill tube shut-off valve and audible visual alarms, while CERS has the overfill protection method as fill tube shut-off valve only.

   The CUPA has not consistently cited violations or has missed violations as evidenced by the CUPA's high Technical Compliance Rate (TCR). As identified below, the CUPA's TCR has consistently been higher than the California average, which is indicative that the CUPA is either not citing or not observing violations:

- January – June 2022
  - CUPA: 90.48%
  - CA Avg.: 60.36%
- July – December 2022
  - CUPA: 88.46%
  - CA Avg.: 60.45%
- January – June 2023
  - CUPA: 85.00%
  - CA Avg.: 60.41%
- July – December 2023
  - CUPA: 92.00%
  - CA Avg.: 60.04%
- January – June 2024
  - CUPA: 90.91%
  - CA Avg.: 61.80%
- July – December 2024
  - CUPA: 76.00%
  - CA Avg.: 59.39%
- January – June 2025
  - CUPA: 88.24%
  - CA Avg.: 61.15%

UST testing results include incomplete or inaccurate information:

- CERS ID 10443646
  - Spill Container Testing Report Forms dated February 2, 2023, February 22, 2024, and February 27, 2025, include results for Water Tank. This is not a regulated UST and should not include testing results on the form.
- CERS ID 10487614
  - Monitoring System Certification Forms dated July 11, 2023, and July 14, 2025, Section 6, do not include results for float and chain assembly.

UST facility files indicate the service technician had no training and the International Code Council (ICC) certification of the technician was missing prior to conducting the UST testing:

- CERS ID 10397326
  - Monitoring System Certifications completed on July 6, 2023, July 2, 2024, and June 18, 2025, by a technician with no training or certification for Franklin Fueling Systems.
- CERS ID 10405024
  - Overfill Prevention Equipment Inspection Report Form completed October 30, 2023, by a technician with no training or certification for OPW.

UST testing and release detection violations did not obtain RTC within 60 days:

- 2022
  - 6 of 9 (67%)
- 2023
  - 2 of 8 (25%)

- 2024
  - 2 of 8 (25%)

CITATION(S):
Before January 1, 2026: Health & Saf. Code, §§ 25288 subd. (d), 20290.1, 25290.2; Cal. Code Regs., tit. 23, §§ 2621subd. (a), 2635 subd. (c) & (d), 2636 subd. (f)(2), 2637, 2637.2, 2637.2 subd. (c), 2643 subd. (b)(1), 2665 [State Water Board]

As of January 1, 2026: Health & Saf. Code, §§ 25288 subd. (d), 20290.1, 25290.2; Cal. Code Regs., tit. 23, §§ 2612 subd. (h), 2640 subd. (f), 2652 subd. (a)(2), 2665 subd. (a), 2666; [State Water Board]

CORRECTIVE ACTION:
By the 1st 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 release 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 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 compliance, monitoring and enforcement (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.
  - Ensuring UST facility owners or operators submit UST testing and release 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 release detection documents to the CUPA within the required timeframe.
  - 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.
  - Rejecting documentation that is incomplete or requires correction before accepting.
  - Ensuring and confirming equipment manufacturer certifications of technicians conducting testing.
  - Ensuring accurate USEPA TCR reporting.

- Request the State Water Board review the revised I&E Plan or other applicable procedure and provide feedback. Once feedback is received, train UST inspection staff on the revised procedure.

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 ensured each APSA Facility Information submittal in CERS is accurate and current:

- Total petroleum capacity is inconsistent with inventory:
  - CERS ID 10120558: submitted on February 26, 2025; total aboveground storage capacity of petroleum is 68,593 gallons and the inventory is approximately 1,575 gallons.
  - CERS ID 10415113: submitted on September 16, 2025; total aboveground storage capacity of petroleum is 400,000 gallons and the inventory is approximately 200,000 gallons.
- Spill, Prevention, Control and Countermeasure (SPCC) Plan certification or 5-year review date is 5 years or more prior to submittal date:
  - CERS ID 10620895: submitted on April 7, 2025, with the SPCC Plan certification or 5-year review date of March 6, 2020
- Number of tanks in underground area (TIUGA) is inaccurate
  - CERS ID 10443646: submitted on March 14, 2025; total number of TIUGAs reported is 4 and the inventory shows 4 underground storage tanks

CITATION(S):

Health & Saf. Code, § 25270.4.5, subd. (a); Cal. Code Regs., tit. 19, § 1614; [OSFM]

RESOLUTION:

During the evaluation, OSFM reviewed recently accepted APSA Facility Information submittals for CERS ID 10620895 and CERS ID 10443646 and verified each is accurate and complete.

By the 1st Progress Report, ensure CERS ID 10120558 and CERS ID 10415113 submit an accurate and complete submittal to CERS.

During each Progress Report, OSFM will review information in CERS to verify that the information identified above has been addressed.

OSFM recommends that the CUPA:

- Determine why CERS submittals are inaccurate.
- Ensure each APSA Facility Information submittal is accurate and current before being accepted in CERS and verify the information in the submittal is accurate during each on-site inspection conducted.

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2. INCIDENTAL FINDING:

The CUPA has not consistently included all observations, citations, factual basis, and corrective actions for each violation cited in HWG inspection reports:

- CERS ID 10876765: Inspection report dated March 21, 2025
  - No observations for 3 of 3 cited violations
    - "Label and mark containers"

        - No mention of the type and amount of containers, how the facility failed to meet the requirements, or what information the facility needs to include on the labels
      - "Obtain an EPA ID#"
        - No indication as to how the facility failed to meet the requirement
      - "Close waste containers"
        - No mention of the type and amount of containers
  - Instructions for the facility representatives included in the report and follow-up emails are not linked to cited violations. It is unclear if the instructions are actual violations, provided as reminders, general advice, or corrective actions:
    - "Provide the waste manifest for the current stuff"
    - "Maintain waste manifests for 3 years"
    - "Haul off haz waste every 180 days"
    - "The employees handling hazardous waste should receive some training in proper handling."
- CERS ID 10457299: Inspection report dated April 3, 2024
  - Observations and corrective actions lack specificity including:
    - Label the hazardous waste storage area with accumulation start dates and all required information. A label was provided.
      - No description of what information is required (the words "hazardous waste," the composition and physical state of the waste, an indication of the hazards of the contents, the name and address of the generator, and the applicable accumulation start date.)
    - Haul hazardous waste offsite every 180 days
      - No mention of the accumulation start date or the type and amount of containers
- CERS ID 10317316: Inspection report dated November 12, 2024
  - No corrective action for 1 of 2 cited violations
    - "Ten (10) x 55DM waste Methyl Ethyl Ketone (MEK) and 6 x 55DM used oil labeled with accumulation start date "November 2024." MEK is used for parts cleaning, and used oil is generated from equipment maintenance. Confirmed used MEK and oil not all generated in November 2024."
- CERS ID 10502143: Inspection report dated May 7, 2025
  - No corrective action for 1 of 3 cited violations
    - "55DM waste paint drum not properly labeled as hazardous waste. No label was present on drum."
      - No description of what information is required (the words "hazardous waste," the composition and physical state of the waste, an indication of the hazards of the contents, the name and address of the generator, and the applicable accumulation start date.)
  - Inspection report states: "2 x 55DM of paint containers and liners, sealed and labeled, accumulation start date July 2021."
    - No violation was cited
- CERS ID 10443673: Inspection report dated July 18, 2025
  - Observations and corrective actions lack specificity for 2 of 3 cited violations, including:
    - "Obtain hazardous waste manifests from oil hauler and maintain 3 years on site."
      - It is unclear how the facility failed to meet the requirements

        - "Properly dispose of batteries scattered throughout yard and provide disposal records."
- CERS ID 10411915: Inspection report dated August 23, 2024
    - Observations lack specificity for 2 of 3 cited violations, including:
        - "Maintain 3 years of manifests"
        - "Haul haz waste every 180 days or 90 days once 27 gallons is reached."
            - No mention of the type and quantity of hazardous waste
    - Instructions for the facility representatives were included in the report but not cited as a violation, including:
        - "Make sure to close containers when waste is not being placed in the drum."

CITATION(S):
Health & Saf. Code, § 25185, subd. (c)(2)(A); [DTSC]

RESOLUTION:
By the 1st Progress Report, train inspection staff on inspection report writing training to include observations, factual basis, citations, and corrective actions for each violation cited in an inspection report:

- CUPA Report Writing Training from the 2023 Unified Program Annual Training Conference: https://calcupa.org/CMS15/upload-manager/presentations/CUPA-2023/1866-3768-cupa-conference-2023-report-writing.pdf

By the 2nd Progress Report and with each subsequent Progress Report, submit an inspection report citing at least one HWG Program violation for three HWG facilities that were inspected after inspection report writing training was completed and within the last three months. Each inspection report will contain observations, citations, factual basis, and corrective actions to correctly identify and classify each observed HWG violation.

DTSC recommends that the CUPA document consent in each inspection report. Consent was not documented consistently in the inspection reports identified above.

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3. INCIDENTAL FINDING:
The CUPA has not accurately reported UST compliance inspection information in Paperless Report 6 and CERS:

- UST facilities reported as inspected in 2023:
    - Report 6: 98%
    - CERS Routine UST Inspection Frequency Search Report (December 1, 2025): 100%
- UST facilities reported as inspected in 2024:
    - Report 6:102 %
    - CERS Routine UST Inspection Frequency Search Report (December 1, 2025): 98%
- UST facilities reported as inspected in 2025:
    - Report 6: 86%
    - CERS Routine UST Inspection Frequency Search Report (December 1, 2025): 98%

UST facilities routine inspection reported after the regulatory deadline:

- CERS ID 10441354
    - January 26, 2023, routine inspection reported to CERS November 14, 2023

- CERS ID 10156577
    - June 10, 2025, routine inspection reported to CERS October 28, 2025.
- CERS ID 10166383
    - June 24, 2025, routine inspection reported to CERS on October 28, 2025.
- CERS ID 10397326
    - June 18, 2025, routine inspection reported to CERS on October 28, 2025.
- CERS ID 10443754
    - June 12, 2025, routine inspection reported to CERS on October 28, 2025.
- CERS ID 10459567
    - June 24, 2025, routine inspection reported to CERS on October 28, 2025.

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]

RESOLUTION:
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 1st Progress Report, and with each subsequent Progress Report, submit a sortable spreadsheet from the CUPA's internal data management system used to compile the most recently completed Report 6, including CERS IDs, routine inspection date, and when the data was uploaded to CERS.

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.
- Contact the State Water Board for Report 6 or CERS CME reporting training.