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**Governor's Office of Emergency Services (OES)
- CalARP Program Evaluation -**

Agency Name: _____

Agency Contact: _____

Agency Phone: _____

Evaluation Date: _____

Evaluator's name: _____

Evaluator's Phone: _____

THESE FINDINGS ARE PRELIMINARY. ADDITIONAL DEFICIENCIES MAY BE IDENTIFIED
IN THE DRAFT EVALUATION REPORT.

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OES Comment:

Pursuant to HSC 25501(g)(3), the following deficiencies are considered a failure to implement or enforce the program:

1. If an Administering Agency (AA) does not fully implement the RMP review process; or
2. If an AA has not conducted risk determinations for stationary sources that handle Table 3 listed substances. (This requirement does not apply to those facilities subject to the Federal Accidental Release Prevention Program.)

Question: Are the AAs required to ensure stationary sources submit information to USEPA? Do we need to verify this?

Evaluator notes:

- Single RMP: A single RMP per stationary source is required. A copy of the RMP submitted to USEPA must be submitted to the AA. The RMP submitted to USEPA, if required, should NOT contain any state-specific information (i.e. external events analysis, etc.).
- OCA / public information:

Definitions:

- AA means the local agency responsible to implement the CalARP Program. In most instances, the CUPA has this responsibility.
- O/O means “owner or operator of a stationary source.”
- TQ means threshold quantity.
- Regulated substances are those listed in Table 1, 2, or 3 of the CalARP program.

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CITATION (TITLE 19 CCR UNLESS INDICATED)	CCR PAGE #	PRELIMINARY INFORMATION	DEFICI ENCY (Y/N)
2780.5(a) & (b)	72	Provide a copy of your annual CalARP program audit report to the OES evaluator. (Note: This is not the same as the Title 27 self-audit requirements.)	
N/A	N/A	a) How many stationary sources have you identified?	
N/A	N/A	b) How many in each program level? Program Level 1: Program Level 2: Program Level 3: (Note: This will be utilized to determine the extent of the evaluation.)	
N/A	N/A	c) How did you identify these stationary sources?	
Article 1 - General			
2735.5(a)	8	General Requirements: How does the O/O coordinate and consult with the AA to implement the CalARP program requirements?	
2735.5(c)	8	Has each O/O consulted with the AA to determine the level of documentation required in the RMP? Has the AA coordinated with each O/O regarding acceptable use of model RMPs? (Note: model RMPs can be found at USEPA's website at http://www.epa.ca.gov/ceppo and also at various industry/trade group sites.)	
Article 2 – Registration			
2740.1 (c)	11-12	Has the AA requested registration from a stationary source prior to submittal of the RMP?	
2740.1 (a) & (b)	11-12	Did all RMPs submitted to the AA include a completed registration form?	

<p>2740.1 (c)</p> <p>2740.1 (d)</p>		<p>If the registration was submitted prior to an RMP submittal, did the registration include a certification of accuracy?</p> <p>Did the registration include the following data:</p> <ol style="list-style-type: none"> (1) Stationary source name, street, city, county, state, zip code, latitude, and longitude; (2) The stationary source’s Dun and Bradstreet number; (3) Name and Dun and Bradstreet number of the corporate parent company; (4) The name, telephone number, and mailing address of the owner or operator; (5) The name and title of the person or position with overall responsibility for RMP elements and implementation; (6) The name, title, telephone number, and 24-hour telephone number of the emergency contact; (7) For each covered process, the name and CAS number of each regulated substance held above the threshold quantity in the process, the maximum quantity of each regulated substance or mixture in the process (in pounds) to two significant digits, the SIC code, and the Program level of the process; (8) The stationary source USEPA identifier; (9) The number of full-time employees at the stationary source; (10) Whether the stationary source is subject to Section 5189 of Title 8 of CCR; (11) Whether the stationary source is subject to Part 355 of Title 40 of CFR; (12) Whether the stationary source is subject to an operating permit under Title V of CAA; and (13) The date of the last safety inspection of the stationary source by a federal, state, or local government agency and the identity of the inspecting entity? 	
		<p>Article 3 - Risk Management Plan Components and Submission Requirements</p>	
<p>HSC 25534</p>	<p>N/A</p>	<p>Risk Determination: Has the AA made risk determinations for all stationary sources that only handle regulated substances above the threshold quantity listed on Table 3, but below the threshold quantity on Table 1, if applicable?</p>	
<p>2735.4 (a)(2)</p>	<p>6</p>	<p>If the AA has determined that a stationary source may pose an</p>	

		<p>accident risk has the AA:</p> <p>a) Requested the preparation and submission of all RMPs?</p>	
2735.4 (e)(3)	7	<p>b) Reclassified any covered processes from program level 2 to program level 3?</p>	
HSC 25534(b)(2)(A)	N/A	<p>If the AA has determined that a stationary source does not pose a significant likelihood of an accident risk has the AA:</p> <p>a) Exempted any stationary source from the RMP requirement? (Note: defer to Cal/EPA for discussion of surcharge.)</p>	
HSC 25534(b)(2)(B)	N/A	<p>b) Required that an RMP be submitted, and reclassified a covered process from program level 3 to program level 2 or program level 2 to program level 1?</p>	
2745.1(a)	12	<p>Submission:</p> <p>Has the AA insured that all facilities in its jurisdiction that handles a regulated substance above the TQ as found on Table 1, Table 2 or Table 3 (if required) in a covered process submitted an RMP?</p>	
2745.1(b)	12	<p>Did the O/O submit their RMPs to USEPA by the required timeframes, if applicable?</p>	
2745.1(c)	12	<p>How does the AA ensure they are receiving copies of all RMPs submitted to USEPA?</p>	
2745.1(d)	13	<p>Did the AA consult with each O/O to determine the RMP submission date for existing stationary sources?</p> <p>If yes, did the AA allow the O/O 12 – 36 months to prepare and submit an RMP for the covered process(s)? (Verify correspondence.) (Note: this pertains to Table 3 only regulated substances, and not above Table 1 TQs, if applicable.)</p>	
2745.1(e)	13	<p>Has the O/O of new or modified stationary source(s) submitted their RMP to the AA prior to the date the regulated substance is first present in a process above the TQ? (Note: this pertains to Table 3 only regulated substances, and not above Table 1 TQs, if applicable.)</p>	
2745.1(g)	13	<p>Has the AA consulted with the Agricultural Commissioner on regulated substances, which are pesticides used on farms or</p>	

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		nurseries to evaluate if the existing RMP is adequate?	
2745.2(a)(1)	13	RMP Review Process: Consultation and review: Has the AA worked closely with the O/O to determine that the RMP contains an appropriate level of detail?	
2745.2(a)(2)	14	Initial Public Notice: Did the AA publish an initial public notice in a local newspaper of general circulation stating that an RMP has been submitted and the AA has initiated the process for government and public review?	
2745.2(a)(3)	14	Deficiency Notice: Did the AA review each RMP to determine if all the elements pursuant to Sections 2745.3 through 2745.9 are contained in the document? What method does the AA use to notify the O/O of noted deficiencies? Note: Has the AA involved the local air quality management district/air pollution control district with the technical review of an RMP?	
2745.2(a)(3)(A)	14	Does the AA allow 60 calendar days to correct deficiencies? (Note: An O/O may request, in writing, a one-time 30-calendar day extension.) What does the AA do if a corrected RMP is not submitted within the allowable time period? (Note: Penalties are specified in HSC 25540 and 25541.)	
2745.2(a)(3)(B)	14	If no deficiencies were identified, has the AA accepted the RMP as complete and submitted the RMP for formal public review?	
2745.2(a)(4)	14	Formal Public Review: Did the AA, within 15 calendar days of determining an RMP is complete, make the RMP available for formal public review and comment by publishing an announcement in a local newspaper of general circulation? Did the AA allow 45 days for public review and comment of the RMP?	
2745.2(a)(5)	14	Evaluation Review: Did the AA begin the evaluation review at the end of the public review period?	
2745.2(a)(6)(A)	14	Did the AA complete the evaluation review within 36 months for	

		RMPs that included only program level 1 or program level 2 processes?	
2745.2(a)(6)(B)	15	Did the AA complete the evaluation review within 24 months for any RMPs that included program level 3 processes?	
2745.2(a)(8)	15	Public Access: What process does the AA use to process requests for public information?	
2745.3	15	RMP Executive Summary: Do all RMP's contain an executive summary? If so, does the executive summary contain the elements required by Section 2745.3(a) – (g)?	
2745.6(l)	18	RMP Program 2 and 3 Prevention Program Component External Event Analysis: Has the AA ensured that all Program level 2 or 3 RMPs contain an external event analysis in the Process Hazard Analysis or Hazard Review sections?	
2745.7(q)	19		
2745.6(l)(2)	18	If the magnitude or scope of the external events were unknown, did the O/O work closely with the AA to determine what information was required?	
2745.7(q)(2)	20		

		Article 4 - Hazard Assessment	
		Offsite Consequence Analysis (OCA) Review and Update:	
2750.7(a)	30	What method does the AA use to ensure the O/O review and update the OCA information at least once every 5 years?	
2750.7(b)	30	What method will the AA use to ensure the O/O revises the OCA within six months of a significant change and submit a revised RMP?	
		Article 5 - Program 2 Prevention Program	
2755.2(b)	32	Hazard Review: Has each O/O consulted with the AA to select the appropriate methodology for the Hazard Review?	
2755.1(c)	32	Summary of Program 2 Updates: What method does the AA use to verify updates to program elements of the RMP: <ul style="list-style-type: none"> • Safety information after a major change occurs? • Hazard review every 5 years or after a major change? • Operating procedures updated prior to start-up whenever a major change occurred? 	
2755.2(f)	33		
2755.3(c)	34		
2755.4(a)	34	Training: How does the AA verify that the O/O has provided the proper initial training?	
2755.4(b)	34	How does the AA verify employees receive refresher training at least every 3 years?	
2755.4(d)	34	How does the AA verify that operators are trained in any updated or new procedures prior to start-up of a process after a major change? (Note: possible answers include review of training records, personal interviews, and training oversight.)	
2755.5(d)	35	Maintenance: How does the AA verify the O/O performs inspections and tests on process equipment? (Note: possible answers include review of maintenance logs/records, verification of industry standards/codes)	

2755.6(a)	35	<p>and manufactures recommendations.)</p> <p>Compliance Audits: How does the AA verify the O/O has conducted a compliance audit at least every three years? (Note: possible answers include review certification, audit reports, and documentation of corrected deficiencies.)</p>	
2755.7(a)&(b)	35	<p>Incident investigation: If there is an incident that resulted in, or could have resulted in, a catastrophic release, how does the AA verify that the O/O initiated an investigation within 48 hours of each incident? (Note: possible answers include an onsite visit with the O/O soon after a reported release, review of the summary findings and documentation of corrected deficiencies.)</p> <p>(Note: O/O are required to provide an immediately verbal report of any release or threatened release of a hazardous material per T19, Section 2703 and HSC Section 25507.)</p>	

		Article 6 - Program 3 Prevention Program	
2760.2 (b)	38	<p>Process Hazard Analysis (PHA): Has the AA worked closely with the O/O to provide input in deciding which PHA methodology is best suited to determine the hazards of the process being analyzed?</p> <p align="center">If yes, how?</p>	
2760.2 (f)	40	<p>What method does the AA use to verify updates and revalidation to the PHA at least every 5 years? (Note: possible answers include review of documentation during inspection.)</p>	
2760.3 (b)	41	<p>Operating Procedures: How does the AA verify the operating procedures are: Readily accessible to employees?</p>	
2760.3 (c)	41	<p>Annually certified as current and accurate by O/O? (Note: possible answers include verification during inspection.)</p>	
2760.4(a)	41	<p>Training: How does the AA verify that the O/O has provided the proper initial training?</p>	
2760.4(b)	42	<p>How does the AA verify employees receive refresher training at least every 3 years?</p>	
2760.4(c)	42	<p>How does the AA verify the O/O ensures that employees understand all required training?</p> <p>(Note: possible answers include review of training records, personal interviews, and training oversight.)</p>	
2760.5(b)	42	<p>Mechanical Integrity: How does the AA verify that the O/O established and implemented written maintenance procedures?</p>	
2760.5(e)	43	<p>How does the AA verify that the O/O has corrected identified equipment deficiencies?</p>	
2760.6	43	<p>Management of Change: How does the AA verify that the O/O has established and implemented written procedures to manage changes that affect a covered process?</p>	

2760.7(a)	44	<p>Pre-Startup Review: How does the AA verify that the O/O has preformed a pre-startup safety review for new or modified stationary sources when the modification is significant enough to require a change in the process safety information?</p>	
2760.8(a)	45	<p>Compliance Audits: How does the AA verify the O/O has conducted a compliance audit at least every three years? (Note: possible answers include review certification, audit reports, and documentation of corrected deficiencies.)</p>	
2760.9(a) & (b)	45	<p>Incident investigation: If there is an incident that resulted in, or could have resulted in, a catastrophic release, how does the AA verify that the O/O initiated an investigation within 48 hours of each incident? (Note: possible answers include an onsite visit with the O/O soon after a reported release, review of the summary findings and documentation of corrected deficiencies.)</p>	
2760.9(g)	46	<p>How does the AA verify the O/O retains incident investigation reports for 5 years?</p> <p>(Note: O/O are required to provide an immediately verbal report of any release or threatened release of a hazardous material per T19, Section 2703 and HSC Section 25507.)</p>	
2760.10(a)	46	<p>Employee Participation: How does the AA verify that the O/O has developed a written employee participation plan? (Note: possible answers include verification during inspection.)</p>	
2760.11	46	<p>Hot Work Permit: How does the AA ensure the O/O has a process for issuing hot work permits? (Note: possible answers include verification of procedures or documentation during inspection.)</p>	

		Article 7 - Emergency Response Program	
2765.1(b)	48	<p>Emergency Response Applicability: For those stationary sources whose employees will not respond to accidental releases of regulated substances, how does the AA verify the O/O has met the following requirements:</p> <ul style="list-style-type: none"> • The stationary source with any <i>toxic</i> regulated substances is included in the community emergency response plan developed under Section 11003 of Title 42 of the USC (Note: LEPC requirement – Regional Plan, and the Area Plan developed under Article 1 of HSC Chapter 6.95); • The stationary source with regulated <i>flammable</i> substances (only) has coordinated response actions with the local fire department; and • The stationary source has appropriate mechanisms in place to notify emergency responders when there is a need for a response. 	
2765.2(a)	48 , 49	<p>Emergency Response Program: How does the AA verify that the following requirements for the O/O’s emergency response program are met?</p> <ul style="list-style-type: none"> • The development and implementation of an emergency response plan; • Procedure for the use of emergency response equipment and for its inspection, testing, and maintenance; • Training for all employees in the Incident Command System. 	
2765.2(c)	49	How does the AA verify that the emergency response plan has been coordinated with the community emergency response plan?	
		Article 9 - Other Requirements	
2775.2 (a)	66	<p>Audits: How frequently does the AA select stationary sources for audits?</p>	
2775.2 (b)	66	<p>What criteria are the audits based on? (Note: Acceptable criteria include accident history of the stationary source; accident history of other stationary sources in the same industry; quantity of regulated substances present at the</p>	

		stationary source; location of the stationary source and its proximity to the public and environmental receptors; the presence of specific regulated substances; the hazards identified in the RMP; and a plan providing for neutral, random oversight.)	
2775.2(e)-(i)	67	What process does the AA use for necessary revisions? (Note: process is identified in Section 2775.2)	
2775.3	68	Inspections: Has the AA inspected every stationary source which is required to be registered pursuant to this chapter at least once every three years to determine whether the stationary source is in compliance with this chapter?	
2775.5(a)	68	Availability of Information to the Public: How does the AA provide RMPs for public review?	
2775.5(b)	68	How does the AA restrict the release of classified information?	
2775.6	68	Has there been any coordination between the CUPA and the local air pollution control district/air quality management district for any RMPs? (This requirement is only for Table 1&2 facilities which are also subject to Part 70 or 71 of Title 40 CFR - Title V air permits. However, the local air districts may be willing to provide technical assistance for Table 3 substances as well and many air districts have air modeling expertise.)	

		Article 10 – Local Program Evaluation	
2780.1(a)	70	<p>Dispute Resolution:</p> <p>Has the AA established a procedure necessary to implement a dispute resolution process that contains the following elements?</p> <ol style="list-style-type: none">(1) Provide that the O/O may initiate the dispute resolution process by serving the AA with prompt, written notice of a dispute;(2) Identify the official(s) or other employee(s) of the AA who will resolve disputes arising under this Section;(3) Set procedures and timetables for providing argument and supporting materials to the AA;(4) Require that the AA render a written decision within 120 days after the O/O initiates the dispute resolution process; and,(5) Use the CUPA dispute resolution process, if the AA is also a CUPA, providing that such process is consistent with the criteria in (a)(1) through (4) above.	
2780.3	71	<p>In assessing the performance of an AA, OES shall consider the following:</p> <ol style="list-style-type: none">(a) Effectiveness of the AA program to ensure stationary source participation.(b) Effectiveness of the procedures for records management.(c) Type and amount of technical assistance provided to stationary sources.(d) Stationary source inspections which are conducted to ensure compliance with this program.(e) The AA process for public participation.(f) Other required program elements necessary to implement and manage this program.(g) Comments from interested parties regarding the effectiveness of the local program that raise public safety issues.	

		(h) The impact of the CalARP in reducing/eliminating significant releases.	
		Article 11 – Technical Assistance	
2785.1(a)	75	Technical Assistance: How does the AA coordinate with the O/O to ensure that appropriate technical standards are applied to the CalARP program?	
2785.1(b)	76	How does the AA provide technical assistance to the O/O?	