



Gavin Newsom
Governor

Jared Blumenfeld
Secretary for Environmental Protection

Certified Mail: 7015 1730 0001 0036 6046

December 19, 2019

Mr. Scott Moon
Fire Marshal
City of Santa Rosa Fire Department
2373 Circadian Way
Santa Rosa, California 95407-5439

Dear Mr. Moon:

During February through June, 2019, CalEPA and the state program agencies conducted a performance evaluation of the City of Santa Rosa Fire Department Certified Unified Program Agency (CUPA). The CUPA evaluation included a remote assessment of administrative documentation, review of regulated facility file documentation, California Environmental Reporting System data and oversight inspections.

Upon completion of the evaluation, an Evaluation Report was developed to identify various findings: program deficiencies with corrective actions, incidental findings with resolutions and program observations and recommendations. The Evaluation Report also includes examples of outstanding Unified Program implementation. Enclosed, please find the final report.

Based upon review and completion of the performance evaluation, CalEPA has rated the CUPA's overall implementation of the Unified Program as Meets Unified Program standards. CalEPA recognizes and commends the efforts of the CUPA in maintaining the implementation of the Unified Program while also responding to and recovering from one of the most destructive and devastating California wildfires in 2017.

To demonstrate progress towards the correction of program deficiencies and incidental findings identified in the final Evaluation Report, the CUPA must submit an Evaluation Progress Report within 60 days from the date of this letter or February 26, 2020, and every 90 days thereafter. Evaluation Progress Reports are required to be submitted to CalEPA until all deficiencies and incidental findings identified have been acknowledged as corrected or resolved. Each Evaluation Progress Report must be submitted to the CalEPA Team Lead via mail or email.

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

Mr. Scott Moon
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If you have any questions or need further assistance, please contact Melinda Blum at (916) 327-9560 or John Paine, Unified Program Manager, at (916) 327-5092.

Sincerely,

Original signed by Jason Boetzer

Jason Boetzer
Acting Assistant Secretary
Local Program Coordination and Emergency Response

Enclosure

cc sent via email:

Mr. Paul Lowenthal
Assistant Fire Marshal/CUPA Program Manager
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cc sent via email:

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Mr. John Paine
Unified Program Manager
California Environmental Protection Agency

Ms. Melinda Blum
Senior Environmental Scientist, Supervisor
California Environmental Protection Agency

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

CUPA: City of Santa Rosa Fire Department

Evaluation Date: February – June 2019

Evaluation Team Members:

CalEPA Team Lead	DTSC	Cal OES	State Water Board	CAL FIRE - OSFM
Christopher Moon	Elizabeth Brega	Jack Harrah	Sean Farrow	Joann Lai

This Final Summary of Findings includes:

- Deficiencies requiring correction
- Incidental findings requiring resolution
- Observations and recommendations
- Examples of outstanding program implementation

The findings contained within this evaluation report are considered final.

Based upon review and completion of the evaluation, the CUPA's Unified Program implementation and performance are considered to meet Unified Program standards.

Questions or comments regarding this evaluation should be directed to Melinda Blum at Melinda.Blum@calepa.ca.gov.

The CUPA is required to submit a Deficiency Progress Report 60 days from the receipt of this Final Summary of Findings Report, and every 90 days thereafter, until all deficiencies and incidental findings have been acknowledged as corrected or resolved.

Each Deficiency Progress Report must include a narrative stating the status of all deficiencies and incidental findings identified in this Final Summary of Findings Report.

Deficiency Progress Report submittal dates for the first year following the evaluation are as follows:

- Update 1: February 26, 2020
- Update 2: May 27, 2020
- Update 3: August 31, 2020
- Update 4: December 7, 2020

Each Deficiency Progress Report must be submitted to Melinda Blum at Melinda.Blum@calepa.ca.gov.

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

UNIFIED PROGRAM PERFORMANCE EVALUATION PRELIMINARY SUMMARY OF FINDINGS REPORT

DEFICIENCIES REQUIRING CORRECTION

Program deficiencies identify specific aspects regarding inadequate implementation of the Unified Program. The CUPA must complete the corrective action(s) indicated to demonstrate sufficient implementation of the Unified Program as required by regulation or statute.

1. DEFICIENCY:

The CUPA is not always properly classifying hazardous waste generator (HWG) violations.

This includes, but is not limited to citing violations for failure to provide or conduct training for employees as a minor violation at the following facilities:

- CERS ID 10461895: inspection on December 21, 2018
- CERS ID 10115578: inspection on August 22, 2018
- CERS ID 10600519: inspection on August 21, 2018
- CERS ID 10758004: inspection on July 20, 2018
- CERS ID 10238668: inspection on July 12, 2018

Since no training has been provided, employees of the facility are not familiar with hazardous waste issues and handling nor how to respond to emergencies. This does not meet the definition of a minor violation as defined in Health and Safety Code (HSC), Section 25404 (a)(3) as there may be an economic benefit to the facility by not providing training.

CITATION:

HSC, Chapter 6.5, Sections 25110.8.5, 25117.6

California Code of Regulations (CCR), Title 22, Sections, 66260.10, 66262.34

[DTSC]

CORRECTIVE ACTION:

By Update 1, the CUPA will train staff on the classification of minor, Class I, and Class II violations, as described in HSC, Chapter 6.5, Sections 25110.8.5, 25117.6 and CCR, Title 22, Section 66260.10. The CUPA will train personnel on when and how to properly classify violations for each program element during compliance inspections and ensure personnel review the following:

- Violation Classification Training Video 2014
<https://www.youtube.com/watch?v=RB-5V6RfPH8>
- Violation Classification Guidance
<https://calepa.ca.gov/wp-content/uploads/sites/6/2016/10/Violation-Classification-Guidance-Document-accessible.pdf>

The CUPA will provide CalEPA with training documentation such as an outline of the training conducted and a list of CUPA personnel attending the training, to demonstrate that each inspector received training on how to properly classify violations for each program element and reviewed the Violation Classification Training Video and Guidance.

By Update 2, the CUPA will provide CalEPA with a copy of three (3) inspection reports, as requested by DTSC, for facilities inspected within the last six (6) months cited with hazardous waste violations.

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

**UNIFIED PROGRAM PERFORMANCE EVALUATION
PRELIMINARY SUMMARY OF FINDINGS REPORT**

DEFICIENCIES REQUIRING CORRECTION

2. DEFICIENCY: CORRECTED DURING EVALUATION

The CUPA is not inspecting all Aboveground Petroleum Storage Act (APSA) tank facilities at least once every three (3) years in accordance with the Inspection and Enforcement (I&E) Plan.

Review of facility files, compliance, monitoring and enforcement (CME) data from the California Environmental Reporting System (CERS), and CUPA-provided data reveals:

- Seven (7) of 29 (24%) APSA tank facilities that store 1,320 gallons or more of petroleum have not been inspected within the last three (3) years.

CITATION:

HSC, Chapter 6.67, Section 25270.5(a) and (b)
[OSFM]

CORRECTIVE ACTION:

No further corrective action is necessary. During the 2019 CUPA evaluation, the CUPA inspected the remaining APSA facilities due for an inspection. The CUPA meets the mandated inspection frequency.

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

**UNIFIED PROGRAM PERFORMANCE EVALUATION
PRELIMINARY SUMMARY OF FINDINGS REPORT**

INCIDENTAL FINDINGS REQUIRING RESOLUTION

Incidental findings identify specific incidents or activities regarding implementation of the Unified Program. Though incidental findings do not rise to the level of program deficiencies or inadequate implementation of the Unified Program, the CUPA must complete the resolution(s) indicated as required by regulation or statute.

1. INCIDENTAL FINDING:

The CUPA is not consistently classifying APSA violations properly.

Not having a Spill Prevention, Control, and Countermeasure (SPCC) Plan was cited as a minor violation. Not having an SPCC Plan is not considered a minor violation as defined in HSC Section 25404(a)(3) as a minor violation does not include the following: (1) a violation that presents a significant threat to human health or the environment; or (2) a violation that enables the violator to benefit economically from the noncompliance, either by reduced costs or competitive advantage.”

Review of facility files and CERS violation data reveals violation #4010001 (not having a SPCC Plan) was classified as minor violation in all four (4) instances it was issued.

Note: All facilities cited for not having an SPCC Plan as a minor violation have returned to compliance.

CITATION:

HSC, Chapter 6.67, Sections 25270.4.1(c), 25270.12, 25270.12.1, and 25270.12.5
HSC, Chapter 6.11, Sections 25404(a)(3), 25404.2(a)(3), and 25404.2(a)(4)
CCR, Title 27, Section 15200(a) and (e)
[OSFM]

RESOLUTION:

By Update 1, the CUPA will train staff on the classification of minor, Class I, and Class II violations, as described in HSC, Chapter 6.11, Section 25404(a)(3), and how to properly classify APSA violations during compliance inspections. The CUPA will provide CalEPA with training documentation such as an outline of the training conducted and a list of CUPA personnel attending the training.

Note: CUPA inspectors can review training classes regarding properly classifying violations available in the video library on the CalCUPA website at <https://calcupa.org/training/cech-video-library.html> or request additional assistance from OSFM.

2. INCIDENTAL FINDING:

The CUPA is not consistently citing hazardous waste generator violations correctly in accordance with hazardous waste control law and regulations.

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

**UNIFIED PROGRAM PERFORMANCE EVALUATION
PRELIMINARY SUMMARY OF FINDINGS REPORT**

INCIDENTAL FINDINGS REQUIRING RESOLUTION

Small quantity generators (SQGs) of hazardous waste are not required to maintain training records. The following instances are examples of when the CUPA cited a violation for a SQG not maintaining training records:

- CERS ID 10503925: inspection on April 11, 2018
- CERS ID 10470388: inspection on September 7, 2017
- CERS ID 10115155: inspection on August 23, 2016
- CERS ID 10159209: inspection on November 16, 2017
- CERS ID 10666105: inspection on August 16, 2016

HWGs are required to inspect containers weekly, however no inspection logs are required. The following instance is an example of when the CUPA cited a violation for a HWG to implement a weekly inspection log:

- CERS ID 10115899: inspection on July 17, 2018

CITATION:

CCR, Title 22, section 66262.34(d)(2)
[DTSC]

RESOLUTION:

By Update 1, the CUPA will ensure inspectors review the HWG fact sheet linked below. The CUPA will provide CalEPA with a written statement that CUPA inspectors have reviewed the HWG fact sheet and generator information on DTSC's website below. The written statement will include a signature from each inspector with the date the review was completed.

- Generator Requirements Fact Sheet
https://dtsc.ca.gov/wp-content/uploads/sites/31/2018/06/HWM_FS_Generator_Requirements.pdf
- DTSC Website:
<https://dtsc.ca.gov/generators/>

3. INCIDENTAL FINDING:

The CUPA's I&E Plan is missing required components and has inaccurate or incomplete information. The CUPA's Permit Review and Issuance Policy is missing required components.

The CUPA's I&E Plan is missing the following required components:

- Provisions for addressing complaints, including the receipt, investigation, enforcement, and closure of a complaint. The CUPA maintains a separate Complaint Policy, however, this policy is not referenced in the I&E Plan.
- Provisions for ensuring the CUPA has sampling capability and ensuring the analysis of any material shall be performed by a state certified laboratory pursuant to HSC, Chapter 6.5, Section 25198.

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

UNIFIED PROGRAM PERFORMANCE EVALUATION PRELIMINARY SUMMARY OF FINDINGS REPORT

INCIDENTAL FINDINGS REQUIRING RESOLUTION

The following information in the I&E Plan is inaccurate or incomplete:

- Permit by Rule (PBR), Conditionally Authorized (CA), and Conditionally Exempt (CE) facilities are inspected every three (3) years. Inspection frequency for PBR, CA and CE should also include “initial inspection within two (2) years of notification.”
- Page 12 – refers to release prevention criteria and release detection criteria for Technical Compliance Rate (TCR) reporting. The new TCR reporting does not capture release prevention criteria. It does capture release detection criteria identified as USEPATCR 9d.
- Page 30 – refers to affixing red tags for the UST Program. The CUPA’s reference does not include recent amendments to Statute that became effective January 1, 2019. Amendments include language such as an owner/operator is no longer able to withdraw gasoline when a red tag is affixed and a CUPA having the ability to require an owner/operator to remove contents from USTs which have a red tag affixed.

The Permit Review and Issuance Policy is missing the following required components:

- The policy indicates an expiration date and State ID numbers are required to be on a permit to operate. The policy is missing the requirement of CERS ID numbers and issuance date.
- The policy indicates compliance is necessary for issuance of a permit to operate. Amendments to permitting requirements became effective January 1, 2019. Amendments reflect issuing a permit when USTs are not in full compliance. Amendments state a permit cannot be issued if red tags have been affixed or if enforcement is pending.

CITATION:

HSC, Chapter 6.7, Sections 25285(b); 252952.3(a)(2)(A) and (c)(1)(C)
CCR, Title 23, Sections 2712(c) and 2713(c)
CCR, Title 27, Section 15200(a)
[DTSC, State Water Board, CalEPA]

RESOLUTION:

By Update 1, the CUPA will review, revise, and provide CalEPA with a copy of the corrected I&E Plan addressing the missing, inaccurate, or incomplete information identified above. The CUPA will review, revise, and provide CalEPA with a copy of the corrected Permit Review and Issuance Policy addressing the missing required components identified above.

4. INCIDENTAL FINDING:

HWG violations were not properly identified during inspection.

On May 1, 2019, DTSC observed an inspection conducted at a hazardous waste large quantity generator (LQG) facility (CERS ID 10114468). The inspector prepared for the inspection by reviewing previous inspection reports, the facility file, and CERS. The inspector does not always use the Hazardous Waste Tracking System (HWTS), however DTSC recommends the HWTS always be reviewed prior to conducting an inspection in order to inform the inspector of the types and quantities of wastes that can be expected to be seen at the facility during the inspection.

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

UNIFIED PROGRAM PERFORMANCE EVALUATION PRELIMINARY SUMMARY OF FINDINGS REPORT

INCIDENTAL FINDINGS REQUIRING RESOLUTION

The inspector obtained verbal consent at the start of the inspection, established rapport with the facility operators, toured laboratories at the site selected by the facility, and communicated information well to facility operators. The inspector did not conduct a processed based inspection, which would have better informed the inspector of the types of activities that take place at the facility.

The inspector reviewed and requested several required documents. The inspector did not ensure the following documents were maintained onsite:

- The job title for each position related to hazardous waste management, and the name of the employee filling each job;
- A written job description for each position related to hazardous waste management, including the requisite skill, education, or other qualifications and duties of employees assigned to each position;
- A written description of the type and amount of both introductory and continuing training given to each person filling each of the positions; and
- A written contingency plan and emergencies procedures.

On May 2, 2019, DTSC observed an inspection conducted at a hazardous waste small quantity generator (SQG) facility (CERS ID: 10114738). The inspector prepared for the inspection by reviewing previous inspection reports, reviewed the facility file, CERS and HWTS. The inspector was well prepared for the inspection and reviewed relevant information prior to arriving at the facility. The inspector established rapport with the facility operators, toured the entire site, and communicated technical information well to facility operators.

Though the inspector properly identified several violations during the inspection, some violations were not identified or were misidentified as follows:

- The operator verbally stated that an unlabeled 55-gallon drum contained used paper oil filters. The inspector incorrectly informed the facility operator that the drum needed to be labeled with the words "used oil filters." Used paper oil filters cannot be managed as "used oil filters." Only metal oil filters that are drained can be identified as "used oil filters" and are subject to reduced regulatory requirements. It must be determined if paper oil filters exhibit a characteristic of hazardous waste, and if they do, they are subject to full regulation as a hazardous waste, including all hazardous waste labeling requirements.
- A small unlabeled container of used oil in a satellite accumulation area was identified. The operator stated that the container was drained every six (6) to 10 days. The initial date that hazardous waste is placed in the container must be clearly marked and visible on all containers used for satellite accumulation. The accumulation start date can say "empty daily" as opposed to a chronological date. Additionally, each container must be labeled with the words "Hazardous Waste," and the following information:
 - the composition and physical state of the wastes;

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

**UNIFIED PROGRAM PERFORMANCE EVALUATION
PRELIMINARY SUMMARY OF FINDINGS REPORT**

INCIDENTAL FINDINGS REQUIRING RESOLUTION

- a statement that calls attention to the hazardous properties of the waste; and
- the name and address of the generator.
- The inspector did not ensure the facility was complying with all requirements regarding preparedness and prevention, including ensuring that required information was posted next to the telephone.

CITATION:

CCR Title 22, Sections 66262.34 and 66265.16
[DTSC]

RESOLUTION:

By Update 1, the CUPA will ensure all CUPA staff which conduct HWG facility inspections view the HWG training video and fact sheets linked below. The CUPA will provide CalEPA a narrative document stating that all CUPA HWG inspection staff have reviewed the training video and fact sheets and will include the name of each inspector, a signature from each inspector, and the date the review was completed.

- Advanced Hazardous Waste Inspector Training Video
<https://www.youtube.com/watch?v=Iqn3TJftSUM>
- Hazardous Waste Generator Requirements
https://dtsc.ca.gov/wp-content/uploads/sites/31/2018/06/HWM_FS_Generator_Requirements.pdf
- Hazardous Waste Accumulation Time for Generators
https://dtsc.ca.gov/wp-content/uploads/sites/31/2018/02/FS_OAD_Accumulation.pdf
- U.S. Environmental Protection Agency Process Based Investigation Guide
<https://www.epa.gov/sites/production/files/documents/process-basedguide.pdf>

5. INCIDENTAL FINDING:

Review of Report 6 and CERS finds the following instances where inspection numbers differ between the two (2) reporting formats:

- FY 2017/2018 – Report 6 indicates 51 inspections, CERS indicates 57 inspections
- FY 2016/2017 – Report 6 indicates 51 inspections, CERS indicates 52 inspections
- FY 2015/2016 – Report 6 indicates 56 inspections, CERS indicates 54 inspections

CITATION:

CCR, Title 23, Section 2713(c)(3)
CCR, Title 27, Section 15185(a)
[State Water Board, CalEPA]

RESOLUTION:

By Update 1, the CUPA will perform an analysis of the Data Management Procedure, or other applicable procedure, conclude why reported inspection numbers differ between Report 6 and CERS, and will revise the procedure to ensure the reporting of inspection numbers between the Report 6 and CERS is consistent.

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

**UNIFIED PROGRAM PERFORMANCE EVALUATION
PRELIMINARY SUMMARY OF FINDINGS REPORT**

INCIDENTAL FINDINGS REQUIRING RESOLUTION

The CUPA will consistently report the number of UST inspections conducted in Report 6 and CERS for two (2) consecutive Report 6 reporting periods.

6. INCIDENTAL FINDING:

The CUPA is not consistently citing violations for failure to conduct an overfill prevention equipment inspection.

No later than, October 1, 2018, all overfill prevention equipment must be inspected. Review of annual UST compliance inspection reports, associated overfill prevention inspection reports, and CERS CME information indicates the following overfill prevention inspections were conducted beyond the October 1, 2018, deadline and the CUPA did not cite violations:

- CERS ID 10101136: overfill prevention inspection dated January 15, 2019 - The CUPA did not cite a violation during the annual UST compliance inspection dated January 15, 2019, and no violation was reported in CERS.
- CERS ID 10113115: overfill prevention inspection dated December 13, 2019 - The CUPA did not cite a violation during the annual UST compliance inspection dated February 4, 2019, and no violation was reported in CERS.
- CERS ID 10114870: overfill prevention inspection dated November 21, 2018 - The CUPA did not cite a violation during the annual UST compliance inspection dated November 21, 2018, and no violation was reported in CERS.

Note: The examples provided above may not represent all instances of this finding.

CITATION:

CCR, Title 23, Sections 2637.2(a) and 2665(b)
[State Water Board]

RESOLUTION:

By Update 2, the CUPA will revise and provide CalEPA with the I&E Plan, or other applicable procedure, to ensure personnel consistently and correctly cite all violations during the annual compliance inspection and in CERS.

By Update 3, the CUPA will train personnel on the revised plan or procedure and provide training documentation to CalEPA, which includes at a minimum, an outline of the training conducted and a list of CUPA personnel attending training. Once training is complete, the CUPA will implement the revised plan or procedure.

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

**UNIFIED PROGRAM PERFORMANCE EVALUATION
PRELIMINARY SUMMARY OF FINDINGS REPORT**

OBSERVATIONS AND RECOMMENDATIONS

Observations and recommendations identify areas of Unified Program implementation that could be improved and provide suggestions for improvement. Though not required by regulation or statute, the CUPA would benefit in applying the recommendations provided, to improve the overall implementation of the Unified Program.

1. OBSERVATION:

The CUPA's website contains a link to the "California Environmental Protection Agency SPCC Fact Sheet" and the "Tier II Qualified SPCC Plan" template, which are outdated.

RECOMMENDATION:

The outdated fact sheet should be removed from the CUPA's website and links within the CUPA's website should be reviewed to ensure each points to the most recent information available.

2. OBSERVATION:

The CUPA utilizes an inspection checklist for APSA tank facilities that does not include HSC 6.67 citations, and contains only 36 APSA violations. There are more than 80 APSA violations within the CERS violation library that should be incorporated into each APSA tank facility checklist, including violations applicable to professional engineer-certified SPCC Plan facilities.

RECOMMENDATION:

The CUPA should consistently include HSC Chapter 6.67 citations and reference the applicable Federal SPCC rule on the front page of the inspection checklist or next to the violation categories on the APSA inspection checklists. OSFM recommends that the CUPA update the inspection checklists as necessary to reflect changes made to the CERS violation library and review all applicable violations listed in the current violation library.

3. OBSERVATION:

The number of HWGs within the jurisdiction of the CUPA has greatly expanded due to the inclusion of several neighborhoods formerly under the jurisdiction of Sonoma County. The 2019 I&E Plan reports 432 operating HWG facilities within the jurisdiction of the CUPA, while review of CERS indicates there are 457 HWG facilities.

RECOMMENDATION:

The CUPA should continue to work towards identifying all operating HWGs within the expanded area of its jurisdiction.

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

**UNIFIED PROGRAM PERFORMANCE EVALUATION
PRELIMINARY SUMMARY OF FINDINGS REPORT**

OBSERVATIONS AND RECOMMENDATIONS

4. OBSERVATION:

Review of return to compliance (RTC) information in CERS for the UST Program reveals:

- A limited number of violations with no RTC for the following two (2) Fiscal Years (FYs):
 - FY 2016/2017 – 4 of 47 (8%) violations have no RTC
 - FY 2015/2016 – 6 of 45 (13%) violations have no RTC
- A limited number of instances where RTC for reported violations took more than 90 days for the following three (3) FYs:
 - FY 2017/2018 – 8 out of 79 (10%) violations
 - FY 2016/2017 – 7 out of 47 (15%) violations
 - FY 2015/2016 – 15 out of 45 (33%) violations

RECOMMENDATION:

The CUPA should review the I&E Plan or other applicable procedure to ensure it addresses obtaining RTC for UST violations within the proper timeframe and taking appropriate enforcement when necessary.

5. OBSERVATION:

Review of CERS finds two (2) UST systems in the CUPA's jurisdiction which may need to be permanently closed by December 31, 2025, in accordance with HSC, Chapter 6.7, Section 25292.05.

The following facilities may require permanent closure:

- CERS ID 10132351
- CERS ID 10113871

Note: The examples may not represent all UST systems which may need to be permanently closed by December 31, 2025, in accordance with HSC, chapter 6.7, section 25292.05.

RECOMMENDATION:

The CUPA should continue to provide verbal reminders to UST facility owners/operators and consider providing written notification of the December 31, 2025, requirements for permanent closure of single-wall USTs. The notification should inform the facility owners/operators that, in order to stay in compliance, owners/operators must replace or remove single-wall USTs by December 31, 2025. Additional information about single-wall UST closure requirements may be found at: http://waterboards.ca.gov/water_issues/programs/ust/single_walled/

The CUPA should notify facility owners/operators that Replacing, Removing, or Upgrading Underground Storage Tanks (RUST) Program grants and loans are available to assist eligible small businesses with the costs necessary to remove, replace, or upgrade project tanks.

Additional information about funding sources may be found at:

http://www.waterboards.ca.gov/water_issues/programs/ustcf/rust.shtml

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

UNIFIED PROGRAM PERFORMANCE EVALUATION PRELIMINARY SUMMARY OF FINDINGS REPORT

OBSERVATIONS AND RECOMMENDATIONS

6. OBSERVATION:

Review of the UST Facility/Tank Data Download report obtained from CERS on March 6, 2019, indicates the following accepted UST submittals may be inaccurate or incomplete:

- Four (4) tanks identified as having no spill container/spill bucket installed when spill buckets are required to be installed.
- 19 tanks identified as having no striker plate/bottom protection installed when bottom protection is required to be installed.
- Three (3) tanks identified as having double-wall product pipe where there is no piping/turbine containment sump installed. Without piping/turbine containment sump, double-wall product pipe cannot be properly monitored.
- Four (4) tanks identified as having double-wall product pipe where the pipe secondary is missing.
- Four (4) tanks identified with construction dates between January 1, 1984, and June 30, 2004, without having to conduct secondary containment testing.
- Four (4) tanks identified with construction dates post July 1, 2004, as having to conduct secondary containment testing.

RECOMMENDATION:

The CUPA should continue detailed review of CERS UST submittals. Upon request, State Water Board will provide the CUPA information on CERS review of incorrect or incomplete UST information.

7. OBSERVATION:

Review of CERS UST facility information in the CERS Facility Listing (Details) report, finds facility latitude or longitude coordinates are either missing or inaccurate for the following facilities:

- CERS ID 10154101: no latitude or longitude coordinates are provided
- CERS ID 10114552: CERS indicates the facility is located in Central California
- CERS ID 10115338: CERS indicates the facility is located in Central California
- CERS ID 10134742: CERS indicates the facility is located in Central California

An incorrect location of a facility in CERS impacts the ability of emergency responders to rely on CERS as a facility location tool in the event of a natural disaster or other emergency.

Note: The examples provided above may not represent all instances of inaccurate UST facility locations.

Note: The U.S. Environmental Protection Agency (U.S. EPA) expects the Facility Location Map data provided in CERS for each facility to accurately reflect the geographic location of the facility. The reference point for each facility should be located in the center of the parcel map, which may not be directly on top of the UST system.

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

**UNIFIED PROGRAM PERFORMANCE EVALUATION
PRELIMINARY SUMMARY OF FINDINGS REPORT**

OBSERVATIONS AND RECOMMENDATIONS

RECOMMENDATION:

The CUPA should ensure the geolocation of facilities is correctly reflected in CERS. The CUPA or the facility owner/operator may do this by relocating the location drop pin in Location Map in CERS.

8. OBSERVATION:

The CUPA's 2019 I&E Plan has several incorrect citations:

- On Page 2, HSC Section 25508(b) should be 25511(b)
- On page 11, HSC Section 25505(a)(2) should be 25508(a)(2)
- On page 11, CCR, Section 2775.2(h) refers only to audits.

RECOMMENDATION:

The CUPA should correct these citations with the next annual review of the I&E Plan.

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

**UNIFIED PROGRAM PERFORMANCE EVALUATION
PRELIMINARY SUMMARY OF FINDINGS REPORT**

EXAMPLES OF OUTSTANDING PROGRAM IMPLEMENTATION

Examples of outstanding program implementation highlight efforts and activities of the CUPA that are considered above and beyond the standard expectations for implementation of the Unified Program.

1. Annual Self Audit Reporting

The Self-Audit Reports compiled by the Santa Rosa CUPA are model examples for what CalEPA would provide to other CUPAs to use as a reference. Though regulations have broad requirements and can be fulfilled in little detail, the Santa Rosa CUPA uses the Annual Self-Audit as a tool for tracking issues related to enforcing and implementing the requirements. The Annual Self-Audit Reports are robust, forthcoming, and include supplemental documentation to further articulate the data used for Unified Program reporting.

2. Emergency Response and inter-CUPA assistance with Los Angeles County

Santa Rosa Fire is utilizing their own experiences from the October, 2017, wildfires to educate and assist other agencies who have gone through similar experiences. Their unique opportunity to take a lead role in the handling of debris with Cal OES, the Federal Emergency Management Agency, U.S. EPA and the U.S. Army Corps of Engineers, as well their overall response and recovery experience allowed the CUPA to provide assistance to Los Angeles County, Butte County (in the cities of Paradise and Redding), and Ventura County (the city of Malibu). The continuous emergency response work of the Santa Rosa Fire Department has made the CUPA a leader in these kinds of efforts.