

June 1, 2023

Ms. Marcie Skelton
Agricultural Commissioner/CUPA Director
Glenn County Air Pollution Control District
P.O. Box 351
Willows, California 95988-0351

Dear Ms. Skelton:

During April 2019 through August 2019, CalEPA and the state program agencies conducted a performance evaluation of the Glenn County Air Pollution Control District 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 information, and oversight inspections.

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

Based upon review and completion of the performance evaluation, CalEPA has rated the CUPA's overall implementation of the Unified Program as satisfactory with improvement needed.

CalEPA recognizes the delay with issuing the final Summary of Findings report. Consequently, as the next CUPA Performance Evaluation is scheduled to begin in December 2023, there is sufficient time for submittal and review of two Evaluation Progress Reports, although the timeframe for completion of corrective actions and resolutions may extend beyond submittal of the second Evaluation Progress Report.

The CUPA is required to submit the first Evaluation Progress Report 60 days from the receipt of this Final Summary of Findings Report. Please provide the Evaluation Progress Report to the CalEPA Team Lead, Kaeleigh Pontif, at Kaeleigh.Pontif@calepa.ca.gov.

The CUPA is strongly encouraged to provide an update detailing as much progress made as possible in accomplishing the corrective actions and resolutions for each identified deficiency and incidental finding, particularly if steps for corrective actions and resolutions outlined for completion in anticipated subsequent Progress Reports have been completed and addressed at present. Any deficiencies that remain uncorrected

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and any incidental findings that remain unresolved will be incorporated into the 2023 performance evaluation.

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

If you have any questions or need further assistance, please contact Melinda Blum at Melinda.Blum@calepa.ca.gov.

Sincerely,



Jason Boetzer
Assistant 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: Glenn County Air Pollution Control District

Evaluation Period: April 2019 through August 2019

Evaluation Team Members:

- **CalEPA Team Lead:** Kaeleigh Pontif, Marc Lorentzen
- **DTSC:** Matthew McCarron
- **Cal OES*:** Jack Harrah
- **State Water Board:** Lisa Jensen
- **CAL FIRE-OSFM:** Glenn Warner

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

Questions or comments regarding this evaluation should be directed to the CalEPA Team Lead:

Kaeleigh Pontif
CalEPA Unified Program
Phone: (916) 803-0623
E-mail: Kaeleigh.Pontif@calepa.ca.gov

CalEPA recognizes the delayed issuance of this Final Summary of Findings report. Consequently, as the next CUPA Performance Evaluation is scheduled to begin in December 2023, there is sufficient time for submittal and review of two Evaluation Progress Reports, although the timeframe for completion of corrective actions may extend beyond submittal of the first Evaluation Progress Report.

The CUPA is required to submit the first Evaluation Progress Report 60 days from the receipt of this Final Summary of Findings Report, no later than **July 31, 2023**, and the second Evaluation Progress Report 90 days thereafter, no later than **October 31, 2023**. Each Evaluation Progress Report must be submitted to the CalEPA Team Lead at Kaeleigh.Pontif@calepa.ca.gov.

The CUPA is strongly encouraged to provide an update detailing as much progress made as possible in accomplishing the corrective actions and resolutions for each identified deficiency and incidental finding, particularly if steps for corrective actions and resolutions outlined for completion in anticipated subsequent Progress Reports have been completed and addressed at present, or in advance. Any deficiencies that remain uncorrected or incidental findings that remain unresolved will be incorporated into the next CUPA Performance Evaluation.

*Effective July 1, 2021, oversight of the Hazardous Materials Release Response Plans and Inventory and the California Accidental Release Prevention (CalARP) Program transitioned from Cal OES to CalEPA.

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DEFICIENCIES REQUIRING CORRECTION

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

1. DEFICIENCY:

The CUPA is not inspecting each Hazardous Waste Generator (HWG) facility in accordance with the inspection frequency established in the Inspection and Enforcement (I&E) Plan.

The I&E Plan establishes an inspection frequency for Large Quantity Generators (LQGs) and Small Quantity Generators (SQG) at least once every three years, with an exception for Small Quantity Hazardous Waste Generators (SQHWGs) that generate less than 55 gallons of hazardous waste annually and are inspected every six years.

Review of inspection, violation, and enforcement information, also known as compliance, monitoring and enforcement (CME) information in the California Environmental Reporting System (CERS) finds:

- 87 of 442 (19%) HWG facilities were not inspected in accordance with the inspection frequency established in the I&E Plan.

CITATION:

California Code of Regulations (CCR), Title 27, Section 15200(a)(3)
[DTSC]

CORRECTIVE ACTION:

By the 1st Progress Report, the CUPA will develop, implement, and provide CalEPA with an action plan to ensure each HWG facility is inspected in accordance with the inspection frequency established in the I&E Plan. The action plan will include at minimum:

- A sortable spreadsheet exported from the CUPA's data management system or CERS, identifying each HWG facility that has not been inspected in accordance with the inspection frequency established in the I&E Plan. For each facility identified, the spreadsheet will include:
 - facility name;
 - CERS ID; and
 - the date of the last routine inspection.
- A schedule to inspect those HWG facilities identified on the sortable spreadsheet, prioritizing the most delinquent inspections to be completed prior to any other HWG inspection; and
- Future steps to ensure all HWG facilities will be inspected in accordance with the inspection frequency established in the I&E Plan.

By the 2nd Progress Report, and with each subsequent Progress Report until considered corrected, the CUPA will provide CalEPA with an updated spreadsheet.

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DEFICIENCIES REQUIRING CORRECTION

By the 3rd Progress Report, the CUPA will have inspected each HWG facility in accordance with the inspection frequency established in the I&E Plan.

2. DEFICIENCY:

The CUPA is not consistently following up and documenting return to compliance (RTC) information in CERS for HWG Program facilities cited with Class I or Class II violations.

Review of CERS CME information and facility files finds there is no documented follow-up or RTC information for the following HWG facilities:

- CERS ID 10477975
 - 3 Class I Violations were cited on January 30, 2018. RTC, nor follow-up actions are noted in CERS, the data management system or the facility file.
- CERS ID 10477978
 - 5 Class I Violations were cited on January 30, 2018. RTC nor follow-up actions are noted in CERS, the data management system or the facility file.
- CERS ID 10621990
 - 2 Class I and 3 Class II Violations were cited on August 1, 2018. RTC nor follow-up actions are noted in CERS, the data management system or the facility file.
- CERS ID 10483387
 - 2 Class II Violations were cited on July 24, 2018. RTC nor follow-up actions are noted in CERS, the data management system or the facility file.
- CERS ID 10687519
 - 4 Class II Violations were cited on October 16, 2018. RTC nor follow-up actions are noted in CERS, the data management system or the facility file.
- CERS ID 10455085
 - 1 Class II Violation was cited on August 30, 2016. RTC nor follow-up actions are noted in CERS, the data management system or the facility file.

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

CITATION:

Health and Safety Code (HSC), Chapter 6.5, Sections 25110.8.5 and 25117.6
HSC, Chapter 6.11, Section 25404.1.2(c)
CCR, Title 27, Sections 15185(a) and (c), and 15200(a) and (e)
[DTSC]

CORRECTIVE ACTION:

By the 1st Progress Report, the CUPA will follow up with the facilities identified above and for each facility, the CUPA will provide CalEPA with the RTC documentation. In the absence of RTC documentation, the CUPA will provide CalEPA with a narrative or documentation of any applied enforcement or follow-up activity to ensure RTC. The CUPA will prioritize follow-up actions with each facility identified based on the level of hazard present to public health and the environment.

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DEFICIENCIES REQUIRING CORRECTION

In addition, by the 1st Progress Report, and with each subsequent Progress Report until considered corrected, the CUPA will provide CalEPA with five facility records, that include RTC documentation or a narrative of the enforcement applied by the CUPA in the absence of RTC for HWG facilities in addition to those identified above.

3. DEFICIENCY:

The CUPA has not established nor implemented all Unified Program administrative procedures.

The following Unified Program administrative procedure is missing:

- Procedures for responding to requests for information from the public including methods to prevent the release of confidential and trade secret information.

CITATION:

CCR, Title 27, Section 15180(e)
[CalEPA]

CORRECTIVE ACTION:

By the 1st Progress Report, the CUPA will develop and provide CalEPA with the procedures identified above.

By the 2nd Progress Report, the CUPA will, if necessary, revise the procedures, based on feedback from CalEPA. The CUPA will provide the revised procedures to CalEPA. If no revisions are necessary, the CUPA will train personnel on the developed procedures and will provide training documentation to CalEPA. Training documentation will include, at minimum, an outline of the training conducted and a list of CUPA personnel in attendance.

4. DEFICIENCY:

The CUPA is not consistently following up and documenting RTC information for Aboveground Petroleum Storage Act (APSA) Program facilities cited with violations.

Review of CERS CME information indicates the following violations have no documented RTC:

- Fiscal Year (FY) 2017/2018
 - 1 of 20 (5%)
 - Including 1 facility cited for violation #4010001, not having or failure to prepare a Spill Prevention, Control, and Countermeasure (SPCC) Plan.
- FY 2018/2019
 - 1 of 4 (25%)
 - Including 1 facility cited for violation #4010001, not having or failure to prepare an SPCC Plan.

Note: Facilities that operate without an SPCC Plan present a significant threat to human health or the environment, and the violator may benefit economically from the noncompliance either by reduced costs or competitive advantage.

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DEFICIENCIES REQUIRING CORRECTION

CITATION:

HSC, Chapter 6.11, Section 25404.1.2(c)
HSC, Chapter 6.67, Section 25270.4.5(a)
CCR, Title 27, Sections 15185(a) and (c) and 15200(a)
[OSFM]

CORRECTIVE ACTION:

By the 1st Progress Report, and with each subsequent Progress Report until considered corrected, the CUPA will provide CalEPA with a sortable spreadsheet obtained from the CUPA's data management system or CERS, that includes at minimum the following information for each APSA facility with an open violation (no RTC):

- Facility name;
- CERS ID;
- Inspection and violation dates;
- Scheduled RTC date;
- Actual RTC date (when applicable);
- RTC qualifier; and
- In the absence of obtained RTC, a narrative of follow-up actions and any enforcement applied by the CUPA to ensure the facility obtains RTC.

The CUPA will prioritize follow-up actions with each facility based on the level of hazard present to public health and the environment.

By the 2nd Progress Report, and with each subsequent Progress Report until considered corrected, the CUPA will provide CalEPA with two APSA facility records, that include RTC documentation, or a narrative of the enforcement applied by the CUPA in the absence of RTC.

By the 4th Progress Report, the CUPA will have ensured each APSA tank facility identified in the sortable spreadsheet provided with the 1st Progress Report as having an open violation (no RTC) for not having, or failure to prepare, an SPCC Plan has achieved compliance, or the CUPA will have applied enforcement

5. DEFICIENCY:

The CUPA is not ensuring all businesses subject to Business Plan reporting requirements annually submit a complete HMBP to CERS.

Review of HMBPs submitted to CERS finds:

- 242 of 577 (42%) Business Plan facilities have not submitted a chemical inventory within the last 12 months.
- 134 of 181 (74%) exempted agricultural handlers have not submitted a chemical inventory within the last 12 months.

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DEFICIENCIES REQUIRING CORRECTION

- 260 of 577 (45%) Business Plan facilities have not submitted emergency response and employee training plans within the last 12 months.

CITATION:

HSC, Chapter 6.95, Sections 25505 and 25508(a)
[Cal OES/CalEPA]

CORRECTIVE ACTION:

By the 2nd Progress Report, the CUPA will develop and provide CalEPA with an action plan to ensure all businesses subject to business plan reporting requirements annually submit a complete HMBP to CERS.

By the 5th Progress Report, the CUPA will follow up with each facility subject to business plan reporting requirements identified in the action plan, to ensure each business annually submits an HMBP, or the CUPA will have applied enforcement.

Note: The findings of this deficiency were identified by Cal OES, however, CalEPA will be determining correction of this deficiency due to the July 22, 2021, transition of the implementation and oversight of the HMBP and CalARP Programs to CalEPA.

6. DEFICIENCY:

The CUPA is not inspecting each facility subject to Business Plan requirements at least once every three years.

Review of CERS CME information finds:

- 253 of 577 (44%) Business Plan facilities were not inspected within the last three years.
- 135 of 181 (75%) exempted agricultural handlers were not inspected within the last three years.

CITATION:

HSC, Chapter 6.95, Section 25511(b)
[Cal OES/CalEPA]

CORRECTIVE ACTION:

By the 1st Progress Report, and with each subsequent Progress Report until considered corrected, the CUPA will provide CalEPA with a sortable spreadsheet exported from the CUPA's data management system or CERS, identifying each facility subject to Business Plan reporting requirements that has not been inspected within the last three years. For each facility listed, the spreadsheet will include, at minimum:

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DEFICIENCIES REQUIRING CORRECTION

- Facility name;
- CERS ID; and
- Date of the last routine inspection.

By the 5th Progress Report, the CUPA will have inspected each facility subject to Business Plan requirements at least once in the last three years.

Note: The findings of this deficiency were identified by Cal OES, however, CalEPA will be determining correction of this deficiency due to the July 22, 2021, transition of the implementation and oversight of the HMBP and CalARP Programs to CalEPA.

7. DEFICIENCY: CORRECTED DURING EVALUATION

The CUPA is not consistently ensuring APSA tank facilities submit a complete Hazardous Materials Business Plan (HMBP) when an HMBP is provided to CERS in lieu of a tank facility statement.

Review of HMBPs submitted to CERS by APSA tank facilities in lieu of a tank facility statement indicates:

- 76 of 167 (46%) APSA tank facilities have not submitted a chemical inventory and site map within the last 12 months.
- 76 of 167 (46%) APSA tank facilities have not submitted emergency response and employee training plans within the last 12 months.

CITATION:

HSC, Chapter 6.67, Section 25270.6(a)
[OSFM]

CORRECTIVE ACTION: COMPLETED

On April 21, 2023, review of HMBP submittals provided to CERS by APSA tank facilities in lieu of tank facility statements indicates:

- 32 of 167 (19%) APSA tank facilities have not submitted a chemical inventory and site map within the last 12 months.
- 33 of 167 (20%) APSA tank facilities have not submitted emergency response and employee training plans within the last 12 months.

This deficiency is considered corrected. No further action is required.

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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 indicated as required by regulation or statute.

1. INCIDENTAL FINDING:

The I&E Plan is missing required components.

The following is missing:

- Inspection frequencies for the Permit By Rule (PBR), Conditionally Authorized (CA), and Conditionally Exempt (CE) Tiered Permit (TP) components of the HWG Program do not include an “initial inspection within two years of notification and every three years thereafter.”
- Provisions for ensuring sampling capability and analysis performed by a state certified laboratory.

CITATION:

CCR, Title 27, Section 15200(a)
[DTSC]

RESOLUTION:

By the 1st Progress Report, the CUPA will review and revise the I&E Plan to incorporate the missing information identified above. The CUPA will provide CalEPA with the revised I&E Plan.

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OBSERVATIONS AND RECOMMENDATIONS

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

1. OBSERVATION:

Review of CERS CME information and Underground Storage Tank (UST) Program facility files finds the following facility remains non-compliant with the design, construction, monitoring, and testing requirements of HSC, Chapter 6.7, Section 25290.1:

- CERS ID 10485139
 - The UST was installed on October 7, 2004, without meeting secondary containment, monitoring requirements or Enhanced Leak Detection (ELD) testing for UST systems installed on, or after July 1, 2004.
 - This facility was identified as not being in compliance with design, construction, monitoring and testing requirements of HSC, Chapter 6.7, Section 25290.1 during the 2016 CUPA performance evaluation. Although the CUPA has actively pursued compliance, the UST system is still in non-compliant operation.

RECOMMENDATION:

Take appropriate enforcement action as necessary to obtain compliance, including but not limited to, affixing a red tag to the UST.

2. OBSERVATION:

Review of the I&E Plan indicates the following information is inaccurate and may benefit from improvement:

- Page 3, the APSA Program would be better identified as Aboveground Petroleum Storage Act (APSA).
- Page 4, the Inventory of Regulated Businesses table has inaccurate counts of APSA tank facilities.
 - The number of APSA tank facilities storing 10,000 gallons or more of petroleum is identified as 16; however, there are 19.
 - The number of APSA tank facilities storing less than 10,000 gallons of petroleum is identified as 33; however, there are significantly more.
- Page 10, HSC, Section 25508(a)(2) is referenced as the authority for RTC. This section only applies to deficiencies in HMBP submittals. Chapter 6.95 of the HSC has no RTC citation for inspection violations.

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OBSERVATIONS AND RECOMMENDATIONS

RECOMMENDATION:

Update the APSA Program information in the I&E Plan.

3. OBSERVATION:

The CUPA regulates some farms. Effective January 1, 2016, Senate Bill (SB) 612 aligned the applicability threshold for farms with that of the Federal SPCC rule, which has increased to 2,500 gallons of oil or 6,000 gallons of oil (with no reportable discharge history) per the Federal Water Resources Reform and Development Act (WRRDA) of 2014.

Information on APSA and farms is available at: <https://osfm.fire.ca.gov/divisions/pipeline-safety-and-cupa/certified-unified-program-agency-cupa/aboveground-petroleum-storage-act/farms/>.

More information on farms regulated under the Federal SPCC rule may be found on the [U.S. Environmental Protection Agency website](https://www.epa.gov/oil-spills-prevention-and-preparedness-regulations/spill-prevention-control-and-countermeasure-spcc) (<https://www.epa.gov/oil-spills-prevention-and-preparedness-regulations/spill-prevention-control-and-countermeasure-spcc>).

RECOMMENDATION:

Review the list of conditionally exempt tank facilities at farms, verify if the total oil storage capacity meets the WRRDA thresholds, and determine if the tank facilities at farms are still regulated as conditionally exempt tank facilities under APSA.

Farms that are no longer regulated under APSA due to SB 612 oil applicability thresholds should be identified in CERS as “APSA Not Applicable,” and change the CERS APSA facility reporting requirement from “Applicable” to “Not Applicable” for such farms.

4. OBSERVATION:

The CUPA’s Aboveground Storage Tank (AST) webpage at:

<https://www.countyofglenn.net/dept/agriculture/cupa-certified-unified-program-agency/above-ground-storage-tanks> contains various resources and information for the regulated community and public. However, the following information is outdated:

- The APSA applicability discussion in the first paragraph needs to be updated to reflect the current law, including tanks in an underground area (TIUGA). Tank facilities with a TIUGA are regulated under APSA, regardless of the facility’s total petroleum storage capacity if the tank is stationary, contains petroleum, and has a minimum shell capacity of 55 gallons.

The Forms webpage at: <https://www.countyofglenn.net/dept/agriculture/cupa-certified-unified-program-agency/resources/forms>, has an outdated link (titled HMBP Facility Map) that should be updated to reference the updated Site Map instructions document that identifies all currently

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required Site Map elements. The emergency shutoff should be general and should not be specific to utilities; certain storage tanks may be required under the fire code to have emergency shutoff. Although symbols of various emergency response equipment are found on the key map symbols, the emergency response equipment is missing in the instructions.

RECOMMENDATION:

Update the information on the AST webpage and on the Forms webpage.

5. OBSERVATION:

The Unified Program Information Management Procedures contain incorrect or outdated information regarding the APSA Program and the fire code Hazardous Materials Management Plan and Hazardous Materials Inventory Statement (HMMP-HMIS).

- Page 1, Section A, Regulatory Authority
 - The citation of HSC, Division 4.5, Chapters 10, 11, 12 and 13 for the APSA Program is incorrect. The correct citation is HSC, Division 20, Chapter 6.67.
 - The following statement does not belong in the APSA section, ‘the District [CUPA] will be authorized to implement the Hazardous Waste Control Act upon certification as a CUPA.’
- Pages 1, 2, and 3, reference the outdated citation to the fire code HMMP-HMIS (Article 80, Sections 8001.3.1, 8001.3.2a, and 8001.3.3a). The current citations are 2022 California Fire Code, Chapter 50, Sections 5001.5.1 and 5001.5.2 (or CCR, Title 24, Part 9, Chapter 50, Sections 5001.5.1 and 5001.5.2).
- Page 2, Chapter 20.05, Storage of Hazardous Substances in Tanks, should have the following phrase removed, ‘regarding the regulation of storage of hazardous materials inventory statements (HMIS)’ as it is out of context.
- Page 4, New Program Implementation, Item 2, has outdated APSA program information.

RECOMMENDATION:

Update the Unified Program Information Management Procedures.

6. OBSERVATION:

The area plan contains incorrect or outdated APSA program and building standards codes (fire code and building code) information.

- Page 7: The area plan incorrectly states the CUPA is delegated as the authority to administer the APSA Program as mandated by HSC, Section 25270.5 and SPCC Plans per Code of Federal Regulations (CFR), Title 40, Part 112. The CUPA has the authority to administer the APSA Program as mandated by Assembly Bill 1130 (Laird, Statutes of

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2007) or HSC, Sections 25270.2(c) and 25270.4. The CUPA has not been delegated authority to implement or enforce the Federal SPCC requirements per CFR, Title 40, Part 112.

- Page 7: The referenced citation to the fire code HMMP-HMIS (Article 80) is outdated.
- Page 18: The outdated Uniform Building Code is referenced. The current building code adopted by the state is the 2016 edition of the California Building Code.
- Page 47: The address and phone number for OSFM are outdated. The current address is 2251 Harvard Street, Suite 400, Sacramento, CA 95815. The current phone number is (916) 568-3800.
- Page 107: The statement, "State Fire Marshal also has primary responsibility for the safety of all interstate and intrastate hazardous liquid pipelines in California." is incorrect. OSFM oversees intrastate hazardous liquid pipelines only.
- Page 147: The 24-hour phone number for OSFM is outdated. The current 24-hour phone number is (916) 323-7390.

RECOMMENDATION:

Update their area plan.

7. OBSERVATION:

Review of the CalARP performance audit reports for FYs 2015/2016, 2016/2017, and 2017/2018 finds the CUPA reports the number of years an inspector has worked in the CalARP Program as the personnel years required to be reported, per CCR, Title 19, Section 2780.5(b)(7). What the regulation is actually asking is "how many people and how many person-years does it take to implement the program?" Assuming there was one inspector, working on CalARP half-time, the proper response would be "1 personnel, 0.5 PY."

RECOMMENDATION:

In each future CalARP performance audit, accurately report the personnel years (PYs) necessary to implement the CalARP Program as a product of the number of positions needed and the full-time percentage allocated for each of those positions. For example, assuming there was one inspector position, working in the CalARP program, at a half-time percentage, the PYs would be 0.5 (1 personnel position x 0.5 position years = 0.5 personnel years).

8. OBSERVATION:

The 2016 area plan is currently being reviewed by the CUPA.

Review of the 2016 area plan identified the following inaccurate and missing information:

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- Page I-4, bullet 2, does not mention HM-31, a Cal OES hazmat rig operating out of Yuba City Fire Department.
- Page I-5, bullet 1, reference to HSC, Section 25503(a) is incorrect. The correct reference is HSC, Section 25503(c).
- Page I-18, paragraph 3, does not mention HM-31, a Cal OES hazmat rig operating out of Yuba City Fire Department.
- Page I-14, paragraph D, reference to HSC, Section 25503(e)(1) is incorrect as it does not exist. The correct citation is HSC, Section 25511(b).
- Pages I-21, I-22, I-45, I-47, II-4, III-3, A-1, A-2 and B-5, reference to Cal EMA should be replaced with Cal OES.
- Pages I-22, I-48 and A-6, reference to the Department of Fish and Game should be replaced with the Department of Fish and Wildlife.
- Pages I-45, A-7 and C-11, the California Hazardous Materials Incident Reporting System (CHMIRS) database is no longer in use. Reference to CHMIRS should be removed.
- Page III-4, reference to CCR, Title 19, Section 2660 is incorrect. The correct reference is CCR, Title 19, Section 2622.
- Page III-7, reference to CCR, Title 19, Section 2724(e) is incorrect. The correct reference is CCR, Title 19, Section 2644(e).
- On page A-4 – “Administering agency” is now “Unified Program Agency.”
- Page A-6, reference to the Bureau of Alcohol, Tobacco and Firearms should be replaced with Bureau of Alcohol, Tobacco, Firearms and Explosives.

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

RECOMMENDATION:

Address the inaccurate and missing information identified above in the review and revision of the 2016 area plan.

9. OBSERVATION:

The CUPA’s webpage, <https://www.countyofglenn.net/dept/agriculture/cupa-certified-unified-program-agency/hazardous-waste>, has links to DTSC factsheets that are outdated.

The following links are current for the “California Department of Toxic Substances Control (DTSC) Fact Sheets” section of the webpage:

- Hazardous Waste Accumulation Times for Generators
 - <https://dtsc.ca.gov/hazardous-waste-accumulation-time-for-generators/>
- Hazardous Waste Generator Requirements
 - <https://dtsc.ca.gov/hazardous-waste-generator-requirements-fact-sheet/>

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OBSERVATIONS AND RECOMMENDATIONS

- Managing Used Oil
 - <https://dtsc.ca.gov/used-oil-generator-requirements/>
- Managing Used Oil Filters
 - <https://dtsc.ca.gov/managing-used-oil-filters-for-generators/>
- Draining Oil Filters
 - https://dtsc.ca.gov/wp-content/uploads/sites/31/2022/06/AdvisoryUsedOilFiltersMarch2017Final_ada.pdf
- Managing Empty Containers
 - <https://dtsc.ca.gov/managing-empty-containers/>
- Managing Universal Waste
 - <https://dtsc.ca.gov/managing-universal-waste-in-california-fact-sheet/>

RECOMMENDATION:

Update the links on the webpage as indicated above.

10. OBSERVATION:

DTSC staff conducted two oversight inspections with the CUPA. The first inspection was conducted at CERS ID 10189939, a Resource Conservation and Recovery Act (RCRA) Large Quantity Generator (LQG) facility that produces waste from ground water filtration. The inspector was well prepared, build a rapport with the facility and asked for consent to inspect before beginning the inspection. The inspector conducted a thorough walk through of the facility, then reviewed all necessary documents on site and at the central office. The inspection identified several documents that needed to be provided by the facility, such as tank assessments and training information. The tank assessments were found to be completed, and valid until October 1, 2020.

The second inspection was conducted at CERS ID 10453750, a Small Quantity Generator (SQG). The inspector was well prepared, build a rapport with the facility and asked for consent to inspect before beginning the inspection. The inspector conducted a thorough walk through of the facility, then reviewed all necessary documents. The inspector identified all existing violations and provided guidance to assist the facility with obtaining compliance.

RECOMMENDATION:

Continue to conduct thorough inspections at HWG facilities.

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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. AGRICULTURE HANDLER OUTREACH AND ASSISTANCE:

The CUPA is located within the Glenn County Agriculture Department. In cooperation with the Glenn County Agricultural Department, Air Pollution Control, and Water Resources, the CUPA has developed an innovative method to conduct outreach with farms which may not be aware of the CUPA Program and Unified Program requirements. Annually or triennially, Glenn County farms renew permits related to agricultural operations including pesticide permits, burn permits, etc. Upon renewal, the CUPA verifies if farms store hazardous materials. A check sheet is added to the agriculture permit and as farmers renew permits with the Agricultural Commissioner, the check sheet ensures farmers also consult with a CUPA representative to ensure the farm has an account in CERS and is aware of Unified Program requirements, including electronic submittal requirements. At this time, CUPA inspectors often help farmers submit and update CERS information as well as schedule CUPA inspections. Such coordination between the Agricultural Commissioner's office and the CUPA has created a consolidated One-Stop-Shop for the agricultural community to address the majority of permitting needs and compliance requirements.

2. ENGAGEMENT AND PARTICIPATION OF PROGRAM MANAGER AND STAFF:

The CUPA Program Manager, has served as an executive member of the CUPA Forum Board since 2009. The CUPA Program Manager is currently the CUPA Forum Board Chair and was the CUPA Forum Board Vice Chair in 2018. The CUPA Program Manager also serves as the Chair for the CUPA Forum Board Trust.

Additionally, the CUPA Program Manager has actively participated as a member of the following TAGs and committees of the Unified Program Administration and Advisory Group (UPAAG):

- the UST Steering Committee
- UST workgroup (with focused initiative on updating the International Code Council Frequently Asked Questions document for UST inspectors)
- the Industry TAG
- CERS NextGen

CUPA staff regularly participate in the Northern Region UST Technical Advisory Group (TAG) meetings and Northern Region CUPA Forum Board meetings.

3. INTEGRATED INSPECTIONS AND TESTING:

The CUPA operates within the Air Pollution Control District (AP) and is able to schedule and perform AP inspections in conjunction with CUPA inspections to the best extent possible. This reduces the amount of inspections and time required by regulated facility owners/operators. This includes UST testing. The CUPA typically conducts the Annual Monitoring Certification along with the Annual Vapor Recovery Testing. Inspectors are trained to witness all testing.

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EXAMPLES OF OUTSTANDING PROGRAM IMPLEMENTATION

4. GROWTH OF REGULATED COMMUNITY:

Though limited in staff, the CUPA actively seeks to ensure businesses subject to Unified Program regulations are compliant and advised of Unified Program requirements. Since January 1, 2019, 38 new businesses were identified and incorporated into the Unified Program and CERS. The same applied to 25 new businesses in 2018, and 15 new businesses in 2017.

5. FIRST RESPONDER TRAINING:

The CUPA conducted CERS outreach and training to local emergency responders at Fire Chief meetings and Emergency Medical Care Council (EMCC) meetings. The CUPA provided a PowerPoint presentation on how to use the emergency responder section of CERS and established CERS user accounts for Fire Chiefs and other emergency response personnel.
