

Unified Program Newsletter – October 2024

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CalEPA

SAVE THE DATE – CERS NextGen Update Meeting with CalEPA

Join us to learn about the CERS NextGen Project. This meeting is open to all stakeholders and will provide a project update, timeline, and have a question-and-answer session with project staff.

Monday October 28, 2024, from 10:00 to 12:00

Join Zoom Meeting

<https://zoom.us/j/94701097714?pwd=gOYHxEPv1bbZP8hNghpoQWGISr7Zzt.1>

Meeting ID: 947 0109 7714

Passcode: 424604

Please contact CERSNextGen@Calepa.ca.gov with any questions.

Date Steering Committee Meetings - You are invited!

The Unified Program is committed to meeting the data needs of all stakeholders while minimizing data collection and reporting impacts on Unified Program Agencies (UPA) and businesses, while encouraging statewide e-business solutions to local, state, and federal information needs. The Data Steering Committee (DSC) meets quarterly to

Air Resources Board • Department of Pesticide Regulation • Department of Resources Recycling and Recovery • Department of Toxic Substances Control • Office of Environmental Health Hazard Assessment • State Water Resources Control Board • Regional Water Quality Control Boards

identify, discuss, and resolve data issues in the CUPA Program. The committee is made up of representatives from multiple stakeholder groups including Businesses, CUPA Oversight Agencies, and UPA staff.

The DSC will be meeting monthly to facilitate critical implementation decisions pertaining to CERS NextGen. Topics for discussion include assigning facilities to staff, closing a facility and or business, notification configuration, and many, many more. Stakeholder participation is welcomed and encouraged. Please consider joining CalEPA and its stakeholders in these upcoming DSC meetings to help make CERS NextGen the best it can be.

The next meeting is scheduled for 10/14/24 from 1:30 pm – 3:30 pm. Please e-mail Nicholas.Antilla@calepa.ca.gov for a link to the meeting.

State Water Board

International Code Council (ICC) UST Inspector Exam Trends

The State Water Resources Control Board (State Water Board) recently reviewed data collected from International Code Council (ICC) UST Inspector examinations. The data trends reviewed include the exam test methods and the areas of the exam mostly likely to impact the pass and fail rate.

Data collected over the past three years show the average pass rate for candidates taking the exam online is 46 percent compared to the 68 percent pass rate for candidates taking in-person examinations. Additionally, candidates consistently score lower in the “Periodic Testing & Evaluation of UST Systems” and “UST Installation, Closure, Repair, Upgrades & Modifications” test sections. Based on the outline provided on the [ICC website](https://www.iccsafe.org/certification-exam-catalog/) (<https://www.iccsafe.org/certification-exam-catalog/>), these two areas make up 27 percent and 17 percent, respectively, of the overall exam content. Candidates should review all exam information on the ICC website, including the exam outline and references, when preparing to take the ICC UST Inspector exam. Links to the appropriate California Code of Regulations, title 23, division 3, chapter 16 ([UST Regulations](https://www.waterboards.ca.gov/ust/regulatory/docs/CCR_Ch16_10_2018.pdf)) (https://www.waterboards.ca.gov/ust/regulatory/docs/CCR_Ch16_10_2018.pdf) and [Health and Safety Code, 6.7](https://www.waterboards.ca.gov/ust/regulatory/docs/hsc_6_7_01_2019.pdf) (https://www.waterboards.ca.gov/ust/regulatory/docs/hsc_6_7_01_2019.pdf) for the UST inspector examination can be found on the UST Leak Prevention website.

For additional information regarding the ICC UST Inspector exam, contact: Jenna Hartman at (916) 327-8563 or Jenna.Hartman@waterboards.ca.gov.

OPW 71SO Installation and Inspection Procedures

Unified Program Agencies (UPAs) and UST service technicians have expressed concerns regarding the OPW 71SO overfill prevention valve (71SO) Appendix A and B procedures. Specifically, UPAs and UST service technicians disagree as to which manufacture provided appendices are used for installing and inspecting the 71SO.

Service technicians have also expressed concerns that there are inconsistencies when using Appendix A for installation and Appendix B for the 36-month inspection.

OPW's Appendix A utilizes the tank chart to determine the proper length of the upper tube to install the 71SO. OPW's Appendix B utilizes physical measurements of the UST to determine the initial shut off level. Using physical measurements of a UST can create issues due to imperfect tank construction and tank deflection, making the internal diameter of the UST inconsistent with the manufacturer's tank chart. These variations are often over an inch, requiring a new overfill prevention valve to be replaced three years after installation.

OPW's Appendix A, as stated by the equipment manufacturer, must be utilized for the installation of the 71SO. Appendix B specifically notes that it is used as an inspection method for in-tank inspections. The State Water Board has stated that overfill prevention equipment cannot be verified in-situ and must be removed from the UST. Therefore, Appendix A is the only authorized method to perform the installation, and the 36-month overfill prevention equipment inspection for the 71SO.

For more information regarding the OPW 71SO installation and inspection procedures, contact Jenna Hartman at (916) 327-8563 or Jenna.Hartman@waterboards.ca.gov.

Universal Valve Company Training

Universal Valve Company has updated their training, installation, and test procedures for their 47-20 overfill prevention valve. Installers and service technicians are required to complete manufacturer's training prior to installing or servicing this equipment in accordance with the manufacturer's installation or test procedures. As with all overfill prevention equipment, UST installers and service technicians installing and inspecting this valve must verify that it shuts off at the proper activation height.

For additional information regarding Universal's training, contact:
Austin Lemire-Baeten at (916) 327-5612 or Austin.Lemire-Baeten@waterboards.ca.gov.

DTSC

Generator Improvements Rule Training

DTSC CUPA Training and Assistance Unit provided a Generator Improvements Rule (GIR) training on October 2, 2024, and we are pleased to announce that there will be a second presentation of this GIR training offered on **October 17, 2024, from 2:00 PM to 3:30 PM** for those who couldn't attend the first one. Keep in mind, this training is a REGULATOR only training. DTSC is actively developing training resources that will be made available to the larger regulated community in the near future. Further announcements to come soon, so please stay tuned.

If you attended the first training, the content that will be provided will be the same so you will not need to attend the second training. The training link is provided below:

Join Zoom Meeting

<https://dtsc-ca.gov.zoom.us/j/85621810289?pwd=jcP9VbZmqKOpX3a9FZJFG3YOEIZaE9.1>

Meeting ID: 856 2181 0289

Passcode: 561889

One tap mobile

+13052241968,,85621810289#,,,,*561889# US

+13092053325,,85621810289#,,,,*561889# US

Course Description:

The Generator Improvements Rule (GIR) enhances environmental protections, introduces regulatory changes, and offers greater flexibility for compliance. This session covers the mandatory GIR requirements and regulatory changes that went into effect on July 1st, 2024.

We will discuss key topics, including:

- Re-notification requirements.
- Labeling and marking for containers and tanks.
- Special conditions for ignitable or reactive wastes.
- Pre-transportation marking.
- New large quantity generator closure requirements.
- Incompatible wastes in satellite accumulation areas.
- Arrangements with local authorities.
- Quick reference guides for emergency responders.
- 45-Min Q&A with DTSC's subject matter experts.

This presentation is structured to provide an overview of each topic, detailing specific requirements, compliance tips, and best practices to ensure a thorough understanding and adherence to the new regulations.

If you have any questions regarding the upcoming training, please email us at DTSC_CUPATrainers@dtsc.ca.gov.

Plant Waste Exclusion:

Assembly Bill (AB) 2643 (Cannabis cultivation) was approved by the Governor on September 28, 2024. Part of the bill excludes plant waste and cannabis waste from classification as a hazardous waste solely due to exhibiting the hazardous waste characteristic of toxicity determined by an Acute Bioassay Procedure. The exclusions are now in section 25141.5.1 of the Health and Safety Code.

Notification of Large Quantity Generator (LQG) Site Closure Report

The LQG site closure report is now available in the Hazardous Waste Tracking System (HWTS) for CUPAs that have an account established in the system. This report is

intended to provide CUPAs with closure notification (using EPA Form 8700-12) information submitted by LQGs in RCRAInfo. If you do not have a HWTS user account, email hwtsadmin@dtsc.ca.gov to request for one.

Adoption of Emergency Regulation for Industrial Ethyl Alcohol (commonly found in Hand Sanitizers)

The emergency regulation for industrial ethyl alcohol was approved by the Office of Administrative Law and went into effect on October 7, 2024. This amends section 66261.6 of Title 22 of the California Code of Regulations. This action adds a recycling pathway for the safe and proper management of industrial ethyl alcohol (a common ingredient in hand sanitizers) by exempting the material from hazardous waste regulations only when it is legitimately recycled at a facility with the appropriate permit from the Alcohol and Tobacco Tax and Trade Bureau. This emergency action will expire on April 8, 2025; however, DTSC is working towards making the regulations permanent.

Cal FIRE OSFM

Aboveground Petroleum Storage Act (APSA) Advisory Committee

The next APSA Advisory Committee will be held on October 29, 2024. The agenda will be available at least 10 days before the meeting on the APSA Advisory Committee website (<https://osfm.fire.ca.gov/committees/aboveground-petroleum-storage-act-apsa-advisory-committee>).

If interested in becoming a voting member on this committee, the committee is seeking representation for the following groups:

- Central Region CUPA Forum (alternate)
- Northern Region CUPA Forum (alternate)
- Bay Area Region CUPA Forum (alternate)
- Southern or central region fire department or district (primary and alternate)
- Tank manufacturer (alternate)

Refer to the above website for more information on the committee. If interested in becoming a committee voting member to represent one of the abovementioned groups, please send your letter of interest to the address below and email an electronic copy to cupa@fire.ca.gov.

State Fire Marshal
CAL FIRE – Office of the State Fire Marshal
P.O. Box 944246
Sacramento, CA 94244-2460

APSA Webinars

If you missed the webinar on farms in early October and would like a copy of the presentation, email cupa@fire.ca.gov.

OSFM will continue to offer more webinars on other APSA topics in the future. Stay tuned.

References or links to information cited in this newsletter are subject to change. CalEPA is interested in your comments and suggestions regarding the Unified Program monthly newsletter. Please email your comments and suggestions to: cupa@calepa.ca.gov.

[CalEPA Unified Program Home Page](#)