



California Environmental Protection Agency



Linda S. Adams
Secretary for
Environmental Protection

Air Resources Board • Department of Pesticide Regulation • Department of Toxic Substances Control
Integrated Waste Management Board • Office of Environmental Health Hazard Assessment
State Water Resources Control Board • Regional Water Quality Control Boards

Arnold Schwarzenegger
Governor

Unified Program Newsletter May 2007

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California Environmental Protection Agency

Forms and Data Dictionary Regulations

The 45 day public comment period on the proposed changes in the Title 27 Unified Program Consolidated Forms & Supporting Data Dictionary Regulations, filed with the Office of Administrative Law (OAL) in March, ended on Monday, May 7. The public hearing is at 9am, Friday morning, May 11th at Cal/EPA headquarters in Sacramento. The Cal/EPA Unified Program will be examining the comments received during the public comment period and at the public hearing over the next several weeks to determine if any significant changes to the proposed regulations will be made.

Contact: Loretta Sylve, lsylve@calepa.ca.gov or 916-327-9558

Enforcement Orders and Judgments

Most administrative and civil environmental enforcement actions in California are taken by local agencies and are not reported to Cal/EPA. Certain administrative and civil enforcement actions of multi-county or statewide interest have been made available to Cal/EPA. Local regulators and prosecutors have requested that we make this information generally available. Cal/EPA has revised the Enforcement Order and Judgment web page to include a section that has multi-county and/or statewide civil enforcement cases or interest. The web page is at: <http://www.calepa.ca.gov/Enforcement/Orders/>. A partial listing of the cases available includes:

People of the State of California v. 7-Eleven, Inc.,
People of the State of California v. Lenscrafters, Inc.,
People of the State of California v. MIT Engineering & Construction, Inc.,
People of the State of California v. Pacific Bell dba AT&T (SBC).

If you have any questions, please contact Lisa Brown at lbrown@calepa.ca.gov or (916) 322-7310.

Office of the State Fire Marshal

New CDF Name

The California Department of Forestry and Fire Protection (formerly CDF) has a new name **CAL FIRE**.

New State Fire Marshal

On March 26, Governor Arnold Schwarzenegger named Kate Dargan as the new California State Fire Marshal. In a brief ceremony, Ruben Grijalva, now the director of CAL FIRE (formerly CDF) conducted the "swearing-in" ceremonies at the west steps of the State Capitol on April 5. Chief Dargan is the 14th person to hold the position and the first woman since the office was established in 1923.

New California Building and California Fire Codes

On January 29, 2007, the Building Standards Commission approved the SFM's Building and Fire Code adoption packages at their hearing. The new California Building Code and California Fire Code will be published on July 1, 2007 and will become effective on January 1, 2008. For more information visit the Building Standards Commission website at or the SFM's website at <http://osfm.fire.ca.gov/>.

Fireworks Training

The OSFM Fire Engineering Division is scheduling a class on "Public Display Fireworks Training" in the Los Angeles area for May 8, 2007 at Hollywood Park, 1050 S. Prairie Avenue, Inglewood, California 90301. Another session is scheduled May 30, 2007 at Angel Stadium of Anaheim, 2000 E. Gene Autry Way, Anaheim, California 92806. Enter the stadium off Orangewood Avenue and park in the east parking lot. Class will meet in the meeting room on the east side of the stadium. Signs will be posted to direct you.

Each class is 9:00 a.m. to 4:00 p.m. The training is free, first come first served, space is limited and you must pre-register to attend. For more information, contact Marge Yarbrough at (951) 277-8796 or email marge.yarbrough@fire.ca.gov to pre-register. **Remember, walk-ins will not be allowed to attend, so sign up soon.**

Pipeline Safety Spring Workshop

The Pipeline Safety Division is scheduling a training workshop for May 30, 2007 in Bakersfield. For More Information visit the CAL FIRE website at: <http://osfm.fire.ca.gov>

State Water Resources Control Board

Advanced UST Inspector Training

State Water Board staff will be offering Advanced UST Inspector Training in an 8-hour course for UST inspectors with at least two years of experience. The course will cover requirements for new UST systems, including construction and monitoring requirements, plan-checks, installation inspections, post-installation testing, system start-up, and annual inspections. The course will also include a more in-depth discussion of topics from the basic inspector training course, including enforcement strategies, functional testing of line leak detectors, and applying regulations to atypical UST systems. There will be extensive Q&A, and inspectors will be encouraged to share their ideas and experiences with others. Each session will be limited to 50 registrants and the first offering will be May 24 in Sacramento. Information on further dates can be found at <http://www.cce.csus.edu/conferences/ust/at07/index.htm>.

UST Program Contacts: John Elkins (jelkins@waterboards.ca.gov; 916-341-5668) and Scott Bacon (sbacon@waterboards.ca.gov; 916-341-5873).

Remote Fill Phase I EVR System

Sometime in May 2007, the Air Resources Board (ARB) is expected to issue an Executive Order approving a remote fill configuration for OPW's Phase I EVR System. This will be the first remote fill Phase I EVR system approved by ARB. The State Water Board has reviewed the system in accordance with Health and Safety Code (HSC), chapter 6.7, section 25290.1.2(a) and the EVR multi-agency review process, and has determined that the system can meet applicable regulations. However, there are several limitations that must be met for the

system to be in compliance. These limitations are outlined in the determination letter, which will be posted on the UST web site after the ARB issues its Executive Order. We encourage you to review the limitations carefully and coordinate with you local Air District to ensure that non-compliant systems are not installed.
UST Program Contact: Scott Bacon (sbacon@waterboards.ca.gov; 916-341-5873).

CUPA Quarterly Reporting (Report 6)

For the July-September 2006 quarter, 90 CUPAs and PAs (89% of the 101 CUPAs/PAs) submitted quarterly reports (Report 6, Title 27 regulations). UST inspections for Significant Operational Compliance (SOC) totaled 3,523, compared to the previous quarter's 3,959 inspections. Local agencies reported that 79% of inspected facilities were in SOC with release detection requirements, 82% were in SOC with release prevention requirements, and 75% were in SOC with both release detection and release prevention requirements. CUPAs issued 15 Red Tags during this quarter.

As of September 30, 2006, there were 15,860 UST facilities; 37,744 active and 122,915 closed petroleum USTs; and 3,203 active and 20,246 closed hazardous substance USTs. During the July-September 2006 quarter, the following closures were reported: 127 petroleum USTs, and 53 hazardous substance USTs. There were 55 fewer UST facilities reported during this period.

UST Program Contact: Terry Snyder (tsnyder@waterboards.ca.gov; 916-341-5385)

Government-owned Tanks Compliance Report

The State's report to Federal EPA on the compliance status of government-owned tanks is due this summer. On March 9, 2007, the State Water Board sent a letter and reporting form to the CUPA's to collect this information by May 30, 2007.

Government-owned tanks refer to all Federal, State, and Local government tanks. The report will document all government-owned tanks that are "Out of Compliance" at the time of the report. Compliance reporting is based on the following criteria, as outlined in Federal guidance: notification, corrosion protection, overfill prevention, spill prevention, tank and piping leak detection, tanks and piping repair, secondary containment, financial responsibility, and temporary closure. The report requires the identification of the tank, the tank owner, facility address, violation citation (violations of the above-noted criteria), date of last inspection, and the actions taken or will be taken (informal, formal, negotiating settlement, undetermined, or other) to ensure compliance.

UST Program Contact: Marci Christofferson (mchristofferson@waterboards.ca.gov; 916-341-5594)

Enhanced Leak Detection (ELD) Follow-up –new Geotracker Tools

As of the end of February 2007, a total of 48 CUPA's have provided updates. To save time and effort for everyone, we are reiterating our request for you to check the July 2006 spreadsheets we emailed and update them. That way, we can use the most current data in our future mail outs. If you provide us with information that the site is closed, ELD test results, or the tank owner provides ELD test results, we can skip the RFR process for those sites. If you haven't submitted your update, this is your last chance to do so. The next mailing is scheduled for May.

To assist you with this project and other UST program tracking, the State Water Board has added several enhancements to Geotracker. Please make sure that all of your active sites are in Geotracker, and that they are correctly located. This will be a tremendous help when Requests for Reconsideration are processed.

Thanks again to the CUPAs for all of your efforts in this process.

UST Program Contact: Terry Brazell (tbrazell@waterboards.ca.gov; 916-341-5645)

Proposed Rulemaking Packages

In conjunction with Cal/EPA, the State Water Board is working on a rulemaking package to change certain elements of Title 27. Proposed changes to Title 27 include updating all underground storage tank permitting forms. Other proposed changes to Title 27 include updating the tank installation certification and the monitoring plan forms. Report 6 information requirements are being updated and other minor changes to fix inconsistencies in Title 23 are being made.

UST Program Contact: Terry Brazell (tbrazell@waterboards.ca.gov; 916-341-5645)

Department of Toxic Substances Control

Hazardous Waste Tracking System (HWTS)

As the next round of Hazardous Waste Tracking System (HWTS) training sessions are now getting underway, it is a good time to let everyone know that there have been some changes. Most of the changes deal with issues about contacting someone to help you with HWTS questions. If HWTS does not have the report you need, you may be able to get an ad hoc report done that will answer your questions. If you need an ad hoc report, please contact Randy Rhondeau at (916) 322-4660 or rrhondea@dtsc.ca.gov to request the report. There is a form in the training manuals that you can complete, so that the information you are requesting can be extracted. Please make sure you include all the requested information on the form, so the report can be done correctly and the information you wish is understood.

If you are having problems with HWTS, please check with your internal IT people to make sure the problem is not a software or hardware issue at your end. If the problem can't be fixed at your end, please contact HWTSAdmn@dtsc.ca.gov and let them know what problems you are having. This contact can also be used to inform the administrators of any data errors in key-punch data, and other such errors that you might find. By helping to correct the input data, we all help make the database and reports more accurate and useful.

Governor's Office of Emergency Services

Training and Technical Assistance

Regional Training – Available to provide regional training on Basic Business Plan, Area Plan, Spill Release Reporting, and CalARP Program. (Minimum of 20 people required)

Technical Assistance – OES is available to provide Business Plan, Area Plan, Spill Release Reporting, and CalARP technical assistance at individual CUPA offices, out in the field and/or by phone or email.

For more information, please contact Brian Abeel at Brian.Abeel@oes.ca.gov or call (916) 845-8768.

The Unified Program Section is interested in your comments and suggestions regarding the monthly newsletter. Please provide comments and suggestions to cupa@calepa.ca.gov.

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