



CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY



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California Environmental Protection Agency

New U.S. EPA Interactive Mapping Tool Shows Annual California Environmental Enforcement

The U.S. Environmental Protection Agency (EPA) has released federal enforcement results for fiscal year 2009, and has developed a new Web-based tool and interactive map that allows the public to get detailed information by location about the enforcement actions taken at approximately 4,600 facilities.

The new mapping tool allows the public to view the locations of facilities that were the subject of those enforcement actions on interactive maps of the U.S. and territories. The maps show facilities where civil enforcement actions were taken for environmental laws for air, water, and land pollution, and a separate map shows criminal enforcement actions.

Viewers can click on specific facilities to find historical information about specific enforcement actions, such as violations and monetary penalties. In addition, viewers can use the zoom function to find out which facilities are located near water bodies that are listed as "impaired" because they do not meet federal water quality standards.

EPA mapped the locations of more than 90 percent of the facilities that were the subject of enforcement actions last year. EPA did not map the locations of drinking water treatment plants due to potential security concerns.

To view the press release in full,
visit: <http://www.epa.gov/compliance/resources/reports/endofyear/eoy2009/index.html>

To access the mapping tool visit: <http://www.epa.gov/compliance/resources/reports/endofyear/eoy2009/2009-map-allactions.html>

Landmark Enforcement Action Taken Against the City of Long Beach

The State Water Board has reached a settlement valued at \$6.2 million with the City of Long Beach for pervasive violations by the city of regulations concerning the storage of petroleum and waste oil in underground storage tanks. This enforcement action is the first of its kind against a public agency by the State Water Board.

Since approximately 2003, the City of Long Beach has failed to perform required testing and monitoring, and failed to install leak prevention equipment at 40 of its underground storage tank facilities, many of which are located at city fire and police stations. The city did not deny responsibility for the violations.

Under the terms of the settlement, the city will pay \$1.5 million in cash within 30 days, in addition to \$200,000 in reimbursement for the State Water Board's costs of enforcement. The city is also required to provide \$2.5 million in financial assurance which will become due and payable to the State Water Board if the city violates the underground storage tank laws again during the next five years.

The city will be credited \$2 million against additional penalties for actions it took after the initiation of enforcement to enhance compliance at its tank facilities above existing requirements, including the development of a comprehensive Compliance Management Program designed to prevent future noncompliance.

A copy of the complete settlement can be found on the State Water Board's website at: http://www.waterboards.ca.gov/water_issues/programs/ust/enforcement/index.shtml

For more information or a full copy of the press release, contact:
Public Affairs Office (916) 341-5254 or e-mail info@waterboards.ca.gov

Obama Appointee Jared Blumenfeld Upholds, Renews EPA's Commitment to Underserved Communities in the Pacific Southwest

The U.S. Environmental Protection Agency's recently appointed regional administrator, Jared Blumenfeld, held a roundtable discussion recently to unveil his plans to revolutionize the Agency's environmental efforts in the Pacific Southwest.

Promising to utilize all available legal, regulatory, enforcement tools, and best available science to help communities, Blumenfeld highlighted the Central California community of Kettleman City, which has suffered distressing incidents of birth defects and infant deaths. Blumenfeld confirmed EPA's commitment to working with state, federal and local partners to assess all of the environmental stressors affecting this rural community.

Blumenfeld announced he will take progressive strides forward and place special emphasis on EPA's environmental efforts in historically underserved and vulnerable communities. He also vigorously addressed the inequitable distribution of environmental benefits and burdens throughout the region. The presidential appointee promised to renew environmental efforts in the Pacific Southwest.

To read the full press release, [View all Region 9 News Releases](#)

EPA Region 9: http://www.epa.gov/region09/contact_press.html

EPA's Environmental Justice Program: <http://www.epa.gov/compliance/environmentaljustice/>

Department of Toxic Substances Control – None

State Water Resources Control Board

CUPA Semi-Annual Reporting (Report 6)

For the July - December 2009 period, 23 CUPAs and PAs (23% of the 99 CUPAs/PAs) have submitted semi-annual reports (Report 6, Title 27 regulations) as of February 8th. Since the due date is March 1, 2010, the State Water Resources Control Board (SWRCB) will be sending out reminders to the local agencies to submit their Report 6's by the due date. Starting with this reporting period, the SWRCB has requested the CUPAs/PAs to submit a Biodiesel Variances report. The report will indicate the number of variances issued for all biodiesel blends up to B20 and if any variances were withdrawn during this period. The SWRCB adopted emergency regulations approving the storage of up to B20 biodiesel blends and the SWRCB proposes to readopt, on an emergency basis, section 2631.2 of Chapter 16 of Title 23 of the California Code of Regulations. This regulation provides an interim variance for underground storage tank systems storing certain biodiesel blends from third-party material compatibility testing and approval requirements will continue their current status during the completion of the rulemaking process

For the January-June 2009 period, 99 CUPAs and PAs (100% of the 99 CUPAs/PAs) submitted semi-annual reports (Report 6, Title 27 regulations). 16 of 99 reports submitted were returned for corrections and were resubmitted and accepted with 12 Report 6s being submitted after the due date. The number of corrections requested was down from 20 for the previous period but we still had eight agencies reporting SOC criteria the old way. We appreciate your reporting efforts. In the last report it was erroneously reported that the City of Victorville CUPA had given up their program. During this period the City of Newark CUPA turned over their program to the Alameda County Environmental Health CUPA.

UST inspections for Significant Operational Compliance (SOC) totaled 7,904 compared to the previous period's 6,499 inspections. Local agencies reported that 9.5% of inspected facilities were in SOC with release detection only, 16% were in SOC with release prevention only, 65.7% were in SOC with both release detection and release prevention, and 8.8 % had violations for both release detection and release prevention. UPAs issued 67 Red Tags during this period.

As of June 30, 2009, there were 15,002 UST facilities, with 62 new facilities and 169 facilities closed during the last 6 months. There are 38,504 active and 127,324 closed petroleum USTs with 153 new tanks opened and 421 tanks closed this period. There are 2,215 active and 21,346 closed hazardous substance USTs, with 20 new and 56 closed this period. There were significant adjustments to UST databases, as agencies cleaned up their data. During the reporting period, adjustments by UPAs increased the number of regulated facilities by 56, added 1874 petroleum USTs, and reduced the number of hazardous substance USTs by 245. Consequently, by the end of the period there were 1606 more active petroleum USTs, 303 fewer active hazardous substance USTs, and 51 fewer UST facilities in operation.

Red Tag Semi-Annual Reporting

For the January – June 2009 semi-annual period, 12 CUPAs issued 67 Red Tags. [Counties of: Los Angeles (3), Merced (6), San Bernardino (34), San Francisco (1), Santa Barbara (4), Shasta (3), Stanislaus (3), and Trinity (2)] [Cities of Pasadena (7), San Jose (2), San Leandro (1), and Vernon (1)]

The specific violations cited were as follows:

- 1) 5 violations for conditions at the UST facility threatening to cause a liquid release (Ch. 16, Sec. 2637)
- 2) 47 violations for conditions at the UST facility impairing the ability to detect a leak [Ch.16, Sec. 2636(f)(2)]
- 3) 15 violations for a chronic violation or recalcitrant facility operator/owner.

Please note when reporting Red Tags, list the total number of Red Tags affixed- not the number of facilities subject to Red Tags.

Energy Policy Act Public Record Reporting

To comply with the Public Record provisions of federal Energy Policy Act of 2005, the SWRCB has posted the following information on the UST Program website at http://www.waterboards.ca.gov/water_issues/programs/ust/leak_prevention/public_record_sum_info.shtml.

- number of UST facilities and systems
- number of annual UST inspections and percent of facilities in SOC compliance
- number of annual confirmed UST releases
- Compliance measurement statement and reported UST universe
- Links to CUPA/PA websites or contact information for site specific UST information
- Link to GeoTracker for site specific release information

The most recent information was updated on October 14, 2009 for the July 1, 2008 to June 30, 2009 12 month period. The next update will be after March 1, 2010 due date for Report 6 submission and will cover the January 1, 2009 to December 31, 2009 period.

Training on Determining SOC Compliance for Report 6 Reporting

During 2009, SWRCB staff conducted 3 trainings on SOC to 6 UPAs. Staff prepared a PowerPoint presentation and is available to conduct training on how to track and report SOC and violations identified during the annual compliance inspection. The training covers the release detection and release prevention criteria contained in LG 164-1. It also differentiates between SOC and other measures of facility/tank compliance, reviews the Report 6 instructions on how to make SOC determinations, and offers a sample inspection checklist to track compliance and violations during the inspection.

UST Program Contact: Terry Snyder (tsnyder@waterboards.ca.gov; 916-341-5385) or Terry Brazell (tbrazell@waterboards.ca.gov; 916-341-5645).

California Emergency Management Agency - None

Office of the State Fire Marshal

California Fire Code

The Office of the State Fire Marshal's 2010 codes package has been approved by the California Building Standards Commission (CBSC) during a hearing on January 12, 2010. The new codes, including the 2010 California Fire Code, are effective January 1, 2011. To view the Final Express Terms and Statement of Reasons, visit CBSC's Web site at http://www.bsc.ca.gov/prpsd_chngs/Commission%20Action%20.html.

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