



CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY



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IN THIS ISSUE:

Cal/EPA **APSA On-Line Training Course**
California Environmental Protection Agency 2009 Environmental Enforcement Report
Orange County Regional Computer Forensics Laboratory Opens for Business

DTSC **None**

SWRCB **Compliance of Non-connected BEI eSite Monitoring**
Matrix of Pipe Monitoring Applications Updated
CUPA Semi-Annual Reporting (Report 6)
Biodiesel Variance Reporting
Variances Issued by CUPA/PA
Red Tag Semi-Annual Reporting

Cal EMA **None**

OSFM **California Fire Code**

California Environmental Protection Agency

California Environmental Protection Agency 2009 Environmental Enforcement Report

The California Environmental Protection Agency has released its annual 2009 Environmental Enforcement Report. This report was prepared by Cal/EPA, its underlying Boards, Departments and Office, and local and regional government enforcement partners.

This report meets the reporting requirements of California Government Code section 12812.2 and provides government regulators, legislators, the regulated community, non-governmental organizations and all Californians an overview of the mechanics of our complicated environmental law enforcement system.

To view the 2009 Cal/EPA Enforcement Report, please go to:
<http://www.calepa.ca.gov/Enforcement/Publications/2009/default.htm>

Orange County Regional Computer Forensics Laboratory (Orange County RCFL) Opens for Business

The FBI and with local area law enforcement officials opened the Orange County Regional Computer Forensics Laboratory in a ribbon-cutting ceremony in Santa Ana, California on January 5, 2011. The Orange County RCFL is part of a national network of FBI-sponsored, full-service forensics laboratories and training centers devoted entirely to the examination of digital evidence in support of federal, state, and local criminal and terrorism investigations. RCFLs provide objective, expert digital forensics services to law enforcement, including court testimony. FBI-certified RCFL personnel strictly adhere to proven objective processes, procedures, and protocols to produce results that are repeatable and verifiable, two critical aspects in the proper practice of digital forensics. For more information see the FBI press release [Orange County RCFL Opens for Business](#) or go to Orange County RCFL site at www.ocrcfl.org.

APSA On-Line Training Course

The California Health and Safety Code established the requirements for the California Aboveground Petroleum Act (APSA) in Chapter 6.67. Under APSA, before an inspector is permitted to conduct inspections at tank facilities regulated under APSA program, they are required to complete training and successfully pass an exam, which were developed by Cal/EPA. The San Diego County Certified Unified Program Agency (CUPA) has developed an on-line APSA Training Course that meets the training requirements of APSA and is consistent with the training course and exam developed by Cal/EPA. So if you have staff that needs to be trained as an APSA inspector, please have them go to the link below to sign-up for this training. http://www.sdcounty.ca.gov/deh/hazmat/hmd_apsa_inspector_training.html

DTSC – None

State Water Resources Control Board

Compliance of Non-connected BEI eSite Monitoring

UST owners/operators utilizing the non-connected BEI eSite leak detection monitoring system and equipment, which do not receive the necessary software updates, are required to complete one of the following: (1) Provide documentation to the local permitting agency that all available updates have been made to the BEI eSite leak detection monitoring system and equipment as needed (future updates, as they become available, must be made to remain in compliance), (2) connect the site to an appropriate monitoring center to allow continuous updates to occur, or (3) discontinue use of the BEI eSite monitoring system and install leak detection components that otherwise meet the requirements of Article 4, Section 2641(j) of the CCR as listed in Local GuidanceLetter 113. Local permitting requirements will be applied as required to manage any change in the UST monitoring plan.

http://www.waterboards.ca.gov/water_issues/programs/ust/tech_notices/esite032411.pdf

UST Program Contact: Cory Hootman (chootman@waterboards.ca.gov; (916) 341-5668).

Matrix of Pipe Monitoring Applications Updated

The “Matrix of Pipe Monitoring Applications” can be used to assist with identification of piping that complies with the independent testing requirements of California Code of Regulations, Title 23, section 2631(b). The Matrix of Pipe Monitoring Applications is based on information provided by the pipe manufacturers and reviewed by the State Water Board’s UST Program staff. The matrix is available at the link below.

http://www.waterboards.ca.gov/ust/leak_prevention/docs/matrix032311.pdf

UST Program Contact: Laura Fisher (lfisher@waterboards.ca.gov; (916) 341-5870).

CUPA Semi-Annual Reporting (Report 6)

For the July – December 2010 period, 93 CUPAs and PAs (95% of the 98 CUPAs/PAs) submitted semi-annual reports (Report 6, Title 27 regulations). Ten of 93 reports submitted were returned for corrections and 9 were resubmitted and accepted. Seven Report 6s were submitted after the due date and five agencies notified of not submitting the reports on time have not responded. The number of corrections requested was up from eight for the previous period and we still had agencies reporting SOC criteria the old way. Note the sum of the four SOC criteria (Items 4a – 4d) must equal the number of inspections reported in Item 4. Final numbers for USTs are still being processed. We appreciate your ongoing reporting efforts.

UST inspections for Significant Operational Compliance (SOC) totaled 6,709 compared to the previous period's 7694 inspections. Local agencies reported that 7.8% of inspected facilities were in SOC with release detection only, 14.6% were in SOC with release prevention only, 70.2% were in SOC with both release detection and release prevention, and 7.4 % had violations for both release detection and release prevention. The corresponding percentages from the last period were very close to the current at 7.9%, 15.5%, 69.7%, and 6.9% respectively. UPAs issued 54 Red Tags during this period compared to 68 previously.

As of December 31, 2010, there were 14,572 UST facilities, with 71 new facilities and 207 facilities closed during the last 6 months. There are 38,020 active and 128,294 closed petroleum USTs with 127 new tanks opened and 332 tanks closed this period. There are 2,069 active and 21,536 closed hazardous substance USTs, with 13 new and 53 closed this period. There were adjustments to UST databases, as agencies cleaned up their data. During the reporting period, adjustments by UPAs decreased the number of regulated facilities by 8, removed 18 petroleum USTs, and decreased the number of hazardous substance USTs by 22. Consequently, by the end of the period there were 223 less active petroleum USTs, 62 fewer active hazardous substance USTs, and 144 fewer UST facilities in operation

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

Biodiesel Variance Reporting

Biodiesel variances were reported along with the semiannual Report 6 for the July - December 2010 reporting period. During this period Biodiesel blends up to B5 no longer require a regulatory variance, as B5 was determined to meet testing and evaluation requirements. We have contacted all 20 CUPAs who issued variances totaling 54, and found 10 were for B5 and have been withdrawn. Another 5 variances for > B5 were withdrawn during this period. Total biodiesel variances for > B5 still in effect are 39. The number of variances for this period is shown below along with a breakdown by CUPA. 93 CUPA/PAs submitted their Biodiesel Variance report.

- a. Number of variances issued for the storage of biodiesel = 7 (by 5 CUPAs) compared to 16 and 6 last period. Total biodiesel variances issued to date = 54.
- b. Number of variances withdrawn for the storage of biodiesel = 15 and
- c. No biodiesel variances issued = 78 CUPA/PAs

Variations Issued by CUPA/PA

The following cities issued variances: Gilroy(1) and Mountain View (1). The following counties issued variances: Humboldt (1), San Francisco (3), and Santa Clara (1).

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Red Tag Semi-Annual Reporting

For the July - December 2010 semi-annual period, 17 CUPA/PAs issued 54 Red Tags compared to 20 and 68 last period. [Counties of: Humboldt(1), Kern(2), Los Angeles (16), Merced (2), Mono(2), Monterey(2), Nevada(1), Placer (3), San Bernardino (6), San Joaquin(2), San Luis Obispo (3), Santa Barbara (4), and Shasta(1)] [Cities of Bakersfield (2), Healdsburg(1), Los Angeles (1), and Pasadena (5).

The specific violations cited were as follows:

- 1) 6 violations for conditions at the UST facility threatening to cause a liquid release (Ch. 16, Sec. 2637)
- 2) 15 violations for conditions at the UST facility impairing the ability to detect a leak [Ch.16, Sec. 2636(f)(2)]
- 3) 33 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.

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California Emergency Management Agency - None

Office of the State Fire Marshal

California Fire Code

For a free online version of the 2010 California Fire Code (California Code of Regulations, title 24, part 9), visit the website at <http://publicecodes.citation.com/st/ca/st/b300v10/index.htm>