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## UNIFIED PROGRAM NEWSLETTER FOR AUGUST 2016

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### California Environmental Protection Agency

#### **Proposed UST Surcharge Increase**

The California Environmental Protection Agency (CalEPA) has postponed its proposal to increase the State Water Resources Control Board's Underground Storage Tank (UST) surcharge in fiscal year 2016-2017 from \$15 per tank to \$20 per tank that would have become effective August 1, 2016. Instead, CalEPA will propose the increase to UST surcharge in 2017 for fiscal year 2017-2018. The proposed amendments to the surcharge fee will be published in a public notice pursuant to Section 15240 of Title 27, California Code of Regulations, and will include an initial public notice, a 30-day public comment period, and a final public notice.

It is anticipated that the timing of the public notice and comment period will result in adopting the new UST surcharge with an effective date of May 1, 2017. Certified Unified Program Agencies (CUPA) are required to begin assessing the surcharge no later than 60-days after the effective date. Therefore, CUPAs will be required to assess the amended UST surcharge to all applicable UST facilities on single fee invoices dated on or after July 1, 2017. CalEPA will provide more details on the actual effective date of the new UST surcharge after publishing the initial public notice.

### New Evaluation Process Webinar

CalEPA will be providing additional webinar training in September 2016 regarding the new evaluation process. The webinar is designed to provide an understanding of how the new evaluation process works including explanations of the evaluation notification, CUPA information submittals, conference calls, completion timeframes, summary of findings reports, and deficiency update reports. Actual dates of the training will be provided soon.

### REMINDER: Annual Single Fee Summary Report for Fiscal Year 2015-2016 must be submitted to CalEPA by September 30, 2016

Pursuant to California Code of Regulations, Title 27, Division 1, Subdivision 4, §15290(a), CUPAs must prepare the Annual Single Fee Summary Report for the previous fiscal year and submit it to CalEPA *no later than September 30, 2016*.

Information contained in the Annual Single Fee Summary Report is essential to adequately assess the implementation and fee accountability of the Unified Program for each CUPA, as well as, to convey the statewide success and accomplishments of California's Unified Program to the United States Environmental Protection Agency, California legislature, and other interested persons.

The existing template adopted in Title 27 does not include the Aboveground Petroleum Storage Act (APSA) Program state surcharge of \$26 that became effective fiscal year 2014-2015. CalEPA initiated the required rulemaking process to revise the template. Until the template is revised in regulation, CalEPA developed a draft template available at <http://www.calepa.ca.gov/CUPA/Publications> under the heading "Required Summary Reporting Forms and Instructions for 'CUPA-to-State' Reporting." CUPAs are encouraged to use the draft template. If a CUPA does not wish to use the draft template provided, the CUPA shall include all required components of the report including the APSA surcharge amounts assessed, collected, and remitted in similar report format.

Please remit the Annual Single Fee Summary Report for Fiscal Year 2015-2016 to CalEPA by September 30, 2016, via:

**Mail:**

California Environmental  
Protection Agency  
Unified Program  
P.O. Box 2815  
Sacramento, CA 95812

**OR**

**Email:**

[cupa@calepa.ca.gov](mailto:cupa@calepa.ca.gov)

Subject: Annual Single Fee Summary  
Report - Fiscal Year 2015-2016

### CERS Tips and Tricks

Included are helpful explanations and resolutions regarding current issues recently received by the California Environmental Reporting System (CERS) Technical Support Team. If you have questions or concerns, please email CERS at [cers@calepa.ca.gov](mailto:cers@calepa.ca.gov)

### How to use sort by column headers or Icon filers:

- To sort a column by header title click on header subject title. The column will sort by date numerically or alphabetical A-Z depending on data in the field.

The screenshot shows the 'CERS Regulator' web application. The top navigation bar includes links for Submittals, Facilities, Businesses, Regulators, Compliance, Responders, and Reports. The main content area displays 'Documents for Alameda County Env Health' with a table of records. A callout box highlights the 'Year' column header, indicating that clicking on it will sort the data.

Year	Document	Type	Name	Document Date	
2014	<a href="#">Enforcement Summary</a>	CUPA		01/27/2014	<a href="#">Edit</a> <a href="#">Delete</a>
2014	<a href="#">Enforcement Summary</a>	CUPA		01/27/2014	<a href="#">Edit</a> <a href="#">Delete</a>

- To do a more extensive sort click on the filter icon, and create the sort.



- Example - by clicking the filter icon the program will show items with a few different values.



## Department of Toxic Substances Control

### **Used Oil Filter Draining**

Pursuant to subsection (c) of section 66266.130 of Title 22, Division 4.5 of the California Code of Regulations, generators who send used oil filters for metal recycling must first properly drain the used oil filters. An oil filter is properly drained when oil no longer continuously flows from the filter. The regulation provides several techniques that a generator may utilize to drain its oil filters.

1. For spin-on canister filters with anti-drain-back valves, a generator who does not use one of the other techniques must use a screwdriver, pick, all, nail or similar tool to manipulate the anti-drain back valve inside the oil filter inlet holes. (These are the smaller holes, typically in a circular pattern around the threaded hole, in the filter base.) Typically one must push the tool through several of these holes while tilting the filter in several directions to get the filter properly drained of oil.
2. Alternatively a generator may drill, grind, punch, or cut an opening (e.g., a hole or a slot) in the top of the filter and then invert the filter over the used oil container. The oil can then drain out of this opening on the canister-end opposite the filter base plate.
3. A generator may crush the filter over a suitable container. For example, a generator may use a vise or a large pair of channel lock pliers to squeeze the filter near the filter base. Often the filter base with the anti-drain-back valve intact can be separated entirely from the canister housing in this manner, thus allowing the filter to drain freely.
4. Lastly, a generator may employ any other method that effectively drains the oil from the oil filters.

Recently, DTSC inspected several scrap metal facilities and other entities in California and found they were accepting many undrained used oil filters. As a result, DTSC required one facility to cease their used oil filter recycling operation. When conducting inspections at vehicle repair shops and oil changing facilities, inspectors should be ensuring that the generators are properly draining their waste used oil filters. (Oil filters that are not properly drained and that are holding free flowing oil are hazardous wastes, in California, via the used oil mixture rule.)

For additional information or inquiries, please contact Larry Stuck at (818) 717-6584.

Title 22, section 66266.130(c)(1) states: *The filters are drained of free-flowing used oil. For the purposes of this subsection, free-flowing is defined as a continuous stream of oil exiting the filter when the filter is inverted. Oil exiting drop by drop is not considered to be free-flowing. However, if the filter is equipped with a device (such as a rubber flap located just inside the filter opening) which impedes the drainage of used oil from the filter, that device shall be manipulated to allow the oil to exit the filter freely, or the filter punctured, crushed, opened, drained, or otherwise handled in a manner that will allow the used oil to exit the filter.*

#### **DTSC's Supplemental Environmental Project (SEP) Policy**

DTSC will be presenting its 2016 SEP Policy at workshops being hosted by the Air Resources Board (ARB). The ARB is hosting these workshops throughout the state to discuss updates to their SEP Policy. For workshop locations and dates, please click on the following link:

[http://www.arb.ca.gov/enf/sep/sep\\_policy\\_workshop\\_notice\\_080216.pdf](http://www.arb.ca.gov/enf/sep/sep_policy_workshop_notice_080216.pdf)

DTSC's SEP Policy can be found here: [https://www.dtsc.ca.gov/GetInvolved/SEPS\\_Policy.cfm](https://www.dtsc.ca.gov/GetInvolved/SEPS_Policy.cfm)

#### **State Water Resources Control Board**

##### **United States Environmental Protection Agency's Report on Corrosion Risks in USTs**

The United States Environmental Protection Agency (US EPA) released a report on July 20, 2016 identifying corrosion risks in underground storage tanks (USTs) storing diesel and gasoline-ethanol blends. The report is based on a research project conducted by the US EPA and finds 83 percent of the 42 USTs studied exhibited moderate or severe corrosion of metal components inside the tank systems. Corrosion in tanks and other system components can cause equipment failure by preventing functionality of release detection and release prevention measures.

The risk of corrosion is important for owners/operators to be aware of because corrosion can affect the functionality of UST equipment, which violates federal requirements. US EPA recommends UST owners/operators of systems storing diesel and gasoline-ethanol blended fuels check for corrosion in systems with steel and fiberglass tanks. If owners/operators believe they have corrosion of their tank or other equipment they should call their UST service technician for further evaluation.

The US EPA report and Notice of Corrosion Risk can be found at <https://www.epa.gov/ust/alternative-fuels-and-underground-storage-tanks-usts>. Questions and answers about corrosion in diesel USTs can be found at <https://www.epa.gov/ust/questions-and-answers-about-corrosion-underground-tanks-storing-diesel-fuel>.

##### **Informational Workshop on Permanent Closure of Single-Walled USTs September 19 in Cupertino**

The State Water Board will be holding an informational workshop to discuss the permanent closure of single-walled USTs in Cupertino on September 19, 2016. UST Leak Prevention Program staff will discuss in detail the design and construction requirements, as well as the closure requirements, imposed by Senate Bill 445 (Stats. 2014, Ch. 547). Replacing, Removing, or Upgrading Underground Storage Tanks (RUST) Program staff will discuss loan and grant funding opportunities available to assist eligible small business owners/operators to meet the single-walled UST removal requirement. Lastly, UST Cleanup Fund staff will present information regarding cleanup funds available to assist eligible owners/operators with cleaning up petroleum-related contamination from the UST.

The workshop is from 9:00 a.m. to 12:00 p.m. on Monday, September 19, 2016 at the City of Cupertino Community Hall, 10350 Torre Avenue, Cupertino CA, 95014.

For more information see our informational page located at:

[http://waterboards.ca.gov/water\\_issues/programs/ust/single\\_walled/docs/single\\_walled\\_closure\\_workshop\\_sept\\_2016.pdf](http://waterboards.ca.gov/water_issues/programs/ust/single_walled/docs/single_walled_closure_workshop_sept_2016.pdf) or contact Jessica Botsford at [Jessica.botsford@waterboards.ca.gov](mailto:Jessica.botsford@waterboards.ca.gov) or (916) 341-7338.

### **Webinar Workshop on Permanent Closure of Single-Walled USTs September 26, 2016**

The State Water Board will be hosting the Informational Workshop on Permanent Closure of Single-Walled USTs through a webinar. UST Leak Prevention Program staff will discuss in detail the design and construction requirements, as well as the closure requirements, imposed by Senate Bill 445 (Stats. 2014, Ch. 547). Replacing, Removing, or Upgrading Underground Storage Tanks (RUST) Program staff will discuss loan and grant funding opportunities available to assist eligible small business owners/operators to meet the single-walled UST removal requirement. Lastly, UST Cleanup Fund staff will present information regarding cleanup funds available to assist eligible owners/operators with cleaning up petroleum-related contamination from the UST.

The webinar workshop is from 9:00 a.m. to 12:00 p.m. on Monday, September 26, 2016. To join the webinar portion of the meeting, click here:

<https://stateofcaswrcbweb.centurylinkccc.com/CenturylinkWeb/LauraFisher>

Enter your name and email address and click on Join Meeting.

After you have accessed the website, call in on your telephone.

Telephone: 1-720-279-0026, the  
Participant pass code: 649984#

Video capacity is 125 connections, and call in capacity is 300 incoming telephone lines.

Attendees may pose written questions during the webinar. Questions will be collected during the webinar and responses provided approximately 7 days after the webinar has concluded. To ask a question, click on the Q&A icon located at the top of the page.

For more information see our informational page located at:

[http://waterboards.ca.gov/water\\_issues/programs/ust/single\\_walled/docs/single\\_walled\\_closure\\_webinar\\_sept\\_2016.pdf](http://waterboards.ca.gov/water_issues/programs/ust/single_walled/docs/single_walled_closure_webinar_sept_2016.pdf) or contact Jessica Botsford at [Jessica.botsford@waterboards.ca.gov](mailto:Jessica.botsford@waterboards.ca.gov) or (916) 341-7338.

### **Informational Webinar Regarding Underground Storage Tank Element of the CUPA Evaluations**

The State Water Board UST Program will be hosting 90 minute informational webinars regarding the UST element of the CUPA evaluations. CUPA managers and appropriate staff are encouraged to attend one of the three (3) scheduled webinars. The content presented at each webinar will be the same.

The webinars will include a brief overview of the new CUPA evaluation process. Specific to the UST Program element, the webinars will include details on the information that will be requested by the State Water Board and required to be submitted by the CUPAs, how CERS will be used as part of the evaluation process, and how CUPAs can prepare for the evaluation. A CERS demonstration will be provided to assist CUPAs with how to rapidly identify UST facilities with inaccurate or incomplete information, UST facilities whose inspections are late, and assessing the consistency of reporting UST violations in CERS.

For information on how to access the webinar and for the dates of each webinar please refer to Lyriss email distributed on July 25, 2016 or by contacting Jessica Botsford at [Jessica.botsford@waterboards.ca.gov](mailto:Jessica.botsford@waterboards.ca.gov) or (916) 341-7338.

## **CAL FIRE - Office of the State Fire Marshal**

### **Tank Facility Statement**

A Tank Facility Statement has been developed and is now available on the OSFM Aboveground Petroleum Storage Act (APSA) website at: <http://osfm.fire.ca.gov/cupa/apsa>. Additionally, a link to the Tank Facility Statement will be provided in the instructions for the APSA upload documentation site in CERS.

### **SPCC Plans and CERS**

Spill Prevention, Control, and Countermeasure (SPCC) Plans are not required to be submitted in CERS and, therefore, should not be submitted to CERS. For more information, you may read the frequently asked questions (FAQ) document "Should I file an SPCC Plan in CERS?" at: <https://cersbusiness.calepa.ca.gov/Help>.

### **California Fire Code**

The 2016 California Fire Code, which is based on the 2015 International Fire Code with California amendments, has been adopted and will become effective January 1, 2017. There are no changes to the hazardous materials management plan and inventory statement requirements.

To view the building standards code proposals, including the fire code, that have been approved for inclusion in the 2016 California Building Standards Code, Title 24, California Code of Regulations, visit the California Building Standards Commission website at <http://www.bsc.ca.gov/codes.aspx>.