



Edmund G. Brown Jr.
Governor

Matthew Rodriguez
Secretary for Environmental Protection

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California Environmental Protection Agency

Violation Library Update

California Environmental Protection Agency (CalEPA) has updated California Environmental Reporting System (CERS) Unified Program Violation Library. The updates include amendments to existing violations, the expiration of violations, and the addition of new violations for all program elements. Amendments to existing violations include changes to the violation names, violation descriptions, and citations. Each existing violation with amendments expired on May 31, 2016 and an amended violation, with the same violation number associated with the expired violation, became effective June 1, 2016. Each expired violation without an associated amended violation is no longer effective for inspections dated after May 31, 2016. All amended and new violations became effective on June 1, 2016. The next violation library amendment process for 2017 will begin in November 2016. Please contact Kareem Taylor at (916) 327-9557 or kareem.taylor@calepa.ca.gov if you have any questions or concerns.

California Accidental Release Prevention Regulatory Update

The primary focus of IRTF has been the development of refinery specific regulations in light of the Chevron Richmond fire in 2012 and the subsequent 2015 explosion at the ExxonMobil Torrance refinery.

Two overall regulatory components are the “safety and prevention” and “emergency preparedness and response.”

The safety and prevention amendments to the California Accidental Release Prevention (CalARP) and the analogous Process Safety Management programs address “outside the fence” community and environmental concerns and “inside the fence” worker safety issues, respectively. These amendments build on existing regulations and the Contra Costa County/City of Richmond Industrial Safety Ordinances, plus lessons learned and best practices.

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Much of the effort has been to, not only strengthen safety and prevention within refineries, but also to align the two sets of regulations so that refinery efforts can meet both requirements simultaneously. A Rand Corporation report on the economic impacts has been completed. The Department of Industrial Relations commissioned the study to assess the impacts of the proposed California Process Safety Management and CalARP safety and prevention amendments as part of the regulatory process. The costs and benefits are addressed in four categories: the costs to industry (to implement the regulation), the costs to society (pass-through of certain industry costs), benefits to industry, and benefits to society.

The Department of Finance has accepted the economic impact study as one of the steps to the formal rulemaking process.

The emergency preparedness and response component has generated proposed revisions to the Emergency Response Program portion of CalARP program regulations along with modifications to the Area Plan elements. The onus on the refineries is to ensure that the companies are able to respond safely and effectively to incidents that may occur within the facility and may impact the community. Additionally, refineries must ensure that outreach, notification, and monitoring requirements are met.

All of the proposed regulations and the Rand Corporation report can be found at www.calepa.ca.gov/refinery website.

The intent is to begin the formal rulemaking process in June/July 2016 with desired implementation in early 2017.

CERS Tips and Tricks

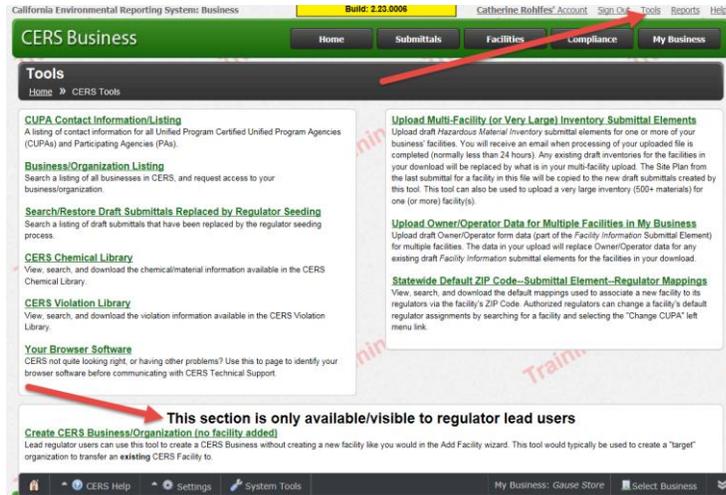
Included are helpful explanations and resolutions regarding current issues recently received by CERS technical support team. If you have questions or concerns, please email CERS at cers@calepa.ca.gov.

How to create a CERS Business/Organization for a facility that was transferred to the wrong organization?

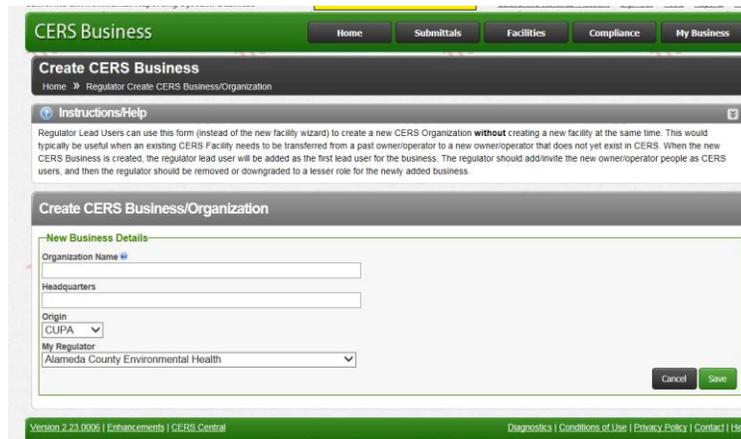
This process must be completed by a CERS Regulator and requires the use of the Business Portal and Regulator Portal.

CERS Business Portal

- “Home” page; select the “Tools” link. (Located in the upper right-hand corner of each page.)



- Select the “Create CERS Business/Organization (no facility added)” link. Please Note: *This link will only be visible to Regulator “Lead Users”.*
- Enter the Business Organization name, city/state of business’ headquarters, and ensure the “Origin” field displays “CUPA” and “My Regulator” field displays the correct regulatory agency. (These fields should already be set by default.)



- Select the “Save”
- Select the “People” link, from the sub-menu on the left-hand side of the “Business Summary” page.
- Select the “Add Person” button from the “People” section header bar.



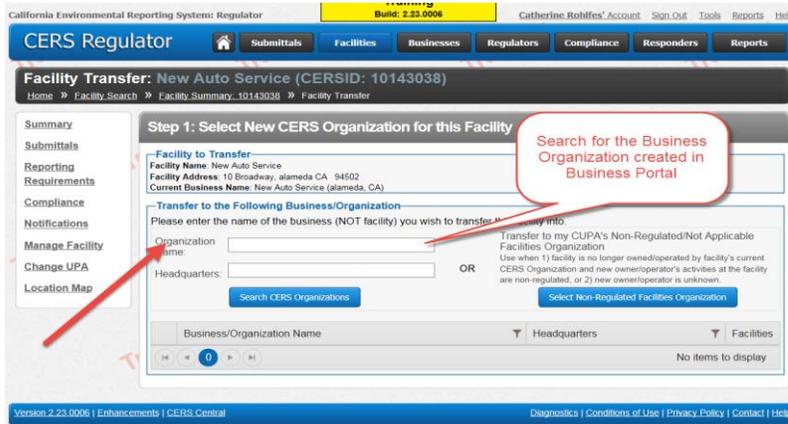
- Enter the e-mail address, phone number and title of the business user that is being added and select the “Continue”
- Select checkbox next to one or more available options, under the “Permission Group” column.
- Select “Save” to add the new user, with the selected permissions, to the Business Organization.

CERS Regulator Portal

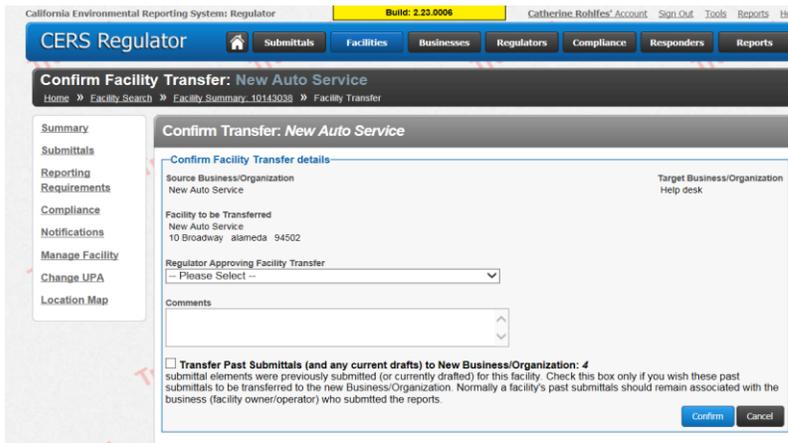
- Select ‘Manage Facilities’ link, from the menu on the left-hand side of the “Facility Summary” page. This will allow the inactive facility to be transferred into Business Organization.



- Select Transfer Facility to Another Business
- Select Business Organization



- Select 'Search CERS Organizations'



- Enter "Comments" it is helpful to note why the inactive facility is being transferred in order to become active again.
- Select the 'check mark' on statement 'Transfer Past Submittals' (and any current drafts) to New Business/Organization.
- Select "Confirm"

State Water Resources Control Board

Informational Workshop on Permanent Closure of Single-Walled USTs

The State Water Resources Control Board (State Water Board) held four informational workshops around the State that discussed the permanent closure of single-walled underground storage tanks (USTs). The workshops were held in Sacramento, Los Angeles, Clovis, and Redding between December 2015 and May of 2016. UST Leak Prevention Program staff discussed 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 Program staff discussed 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 presented information regarding cleanup funds available to assist eligible owners/operators with cleaning up petroleum-related contamination from the UST.

The presentations given at these workshops as well as other helpful information is located on our Single-Walled UST Closure Requirements page locate at:
http://www.waterboards.ca.gov/ust/single_walled/

For more information, please contact Cory Hootman at cory.hootman@waterboards.ca.gov or (916) 341-5668.

New Enhanced Vapor Recovery Determination Letter

A new enhanced vapor recovery (EVR) determination letter, dated May 10, 2016, has been posted to the State Water Board's EVR Multi-Agency Review Process website at http://www.waterboards.ca.gov/ust/leak_prevention/evr_determination_letters.shtml

This EVR determination letter addresses OPW Fueling Containment Systems' request for the addition of the Fibrelite multiport configuration and revision of the EVR phase I system equipment list. This determination letter supersedes the previously issued determination letter for the OPW Fueling Containment Systems EVR phase I system issued August 26, 2014. The current EVR determination letter can be found at http://www.waterboards.ca.gov/ust/leak_prevention/docs/evr_determination/opw_05102016.pdf

Please contact Cory Hootman at cory.hootman@waterboards.ca.gov or (916) 341-5668 for further information.

Placer County Firm to Pay \$200,000, Cease All Cleanup Work for Alleged Abuses of Underground Storage Tank Cleanup Fund

The State Water Board has reached a settlement agreement with Applied Engineering and Geology (AEG) of Placer County over allegations of overbilling and other abuses against the Underground Storage Tank Cleanup Fund. The Lincoln-based company will pay an administrative civil liability of \$200,000 and will cease all work on projects funded by the Cleanup Fund and the Cleanup and Abatement Account.

This settlement between the State Water Board and AEG is the first action taken under Senate Bill 445, which took effect September 25, 2014.

For more information, read the press release found at:
http://www.waterboards.ca.gov/press_room/press_releases/2016/pr051616_aeg_enforce.pdf.

State Water Board Launches Webpage Listing Businesses Disqualified From Working with the Board Due to Fraud

In its continued effort to reduce fraud against its cleanup programs, the State Water Board has launched a new webpage listing businesses and persons disqualified from State Water Board programs, including the UST Cleanup Fund. This webpage is located at:
http://www.waterboards.ca.gov/water_issues/programs/ustcf/dbp.shtml.

New Tank Lining FAQ Posted

In response to the rise in tank lining activities around the State of California, there have been many questions about when a tank may be relined and how many times a tank may be relined. To help answer those questions a new frequently asked question webpage has been created. This FAQ web page is located at: http://www.waterboards.ca.gov/ust/leak_prevention/faq14.shtml

For more information, please contact Cory Hootman at cory.hootman@waterboards.ca.gov or (916) 341-5668.

Office of Tank Tester Licensing Request for Interior Tank Lining Companies to Submit Notification of UST Lining Activities

As previously advised in the May State Water Board Monthly update, many CUPAs have expressed significant concern regarding compatibility issues associated with aging UST infrastructure. Particularly, it has been expressed that tank lining is occurring to repair or address these compatibility issues without understanding the root cause. As a result of the significant number of tank lining events going on throughout the state and not having a clear understanding as to why the increased lining events are occurring, **the State Water Board Office of Tank Tester Licensing is requesting that tank lining companies notify the State Water Board 7 days prior to commencing any tank lining activities.** This request is issued in the State Water Board letter below.

http://www.waterboards.ca.gov/water_issues/programs/ust/adm_notices/interior_tank_lining_notification_letter&form.pdf

For more information, please contact Sean Farrow at sean.farrow@waterboards.ca.gov or (916) 324-7493.

The new webpage lists disqualified businesses and persons and the State Water Board programs for which they are no longer permitted to perform work. The disqualifications are the result of allegations of fraud against the Cleanup Fund.

For information on the State Water Board's efforts to prevent, investigate and prosecute cases of fraud against the Cleanup Fund, see the fact sheet located at: http://www.waterboards.ca.gov/publications_forms/publications/factsheets/docs/fraud_efforts_factsheet.pdf.

Reporting suspected fraud against the Cleanup Fund is easy. Report by email at reportfraud@waterboards.ca.gov, toll-free phone at (1-855) 263-0863, or by mailing or faxing a Fraud Reporting Complaint Form to the State Water Board at:

State Water Board
Office of Enforcement
P.O. Box 100
Sacramento, California 95812

Fax: (916) 341-5896

The Fraud Reporting Complaint Form is online located at: http://www.waterboards.ca.gov/water_issues/programs/ustcf/docs/fraudcomplaint_form.pdf