GARY W. ERBECK
DIRECTOR

County of San Diego

JACK MILLER
ASSISTANT DIRECTOR

DEPARTMENT OF ENVIRONMENTAL HEALTH
HAZARDOUS MATERIALS DIVISION
P.O. BOX 129261, SAN DIEGO, CA 92112-9261
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1 (800) 253-9933
http://www.sdcdeh.org

July 24, 2008

Don Johnson
Assistant Secretary
California Environmental Protection Agency
1001 I Street
P. O. Box 2815
Sacramento, CA 95812-2815

Dear Mr. Johnson:

The County of San Diego Department of Environmental Health, Hazardous Materials Division (DEH-HMD) was evaluated by the California Protection Agency Cal/EPA, the Department of Toxic Substances Control and the State Water Resources Control Board on April 23 and 24, 2008. The final evaluation report dated May 24, 2008 identified four deficiencies. To complete the evaluation process, Cal/EPA required a status report be sent to you every 90 days after the evaluation until all deficiencies have been corrected. This first status report indicates our progress toward correction of such deficiencies.

Sincerely,

J. M. VIZZIER, Chief
Hazardous Materials Division

JMV/lms

Attachments

cc via email:

Ms. Marcele Christofferson
State Water Resources Control Board
P. O. Box 944212
Sacramento, CA 94244-2102

Mr. Frederick Thomas
Department of Toxic Substances Control
700 Heinz Avenue, Suite 210
Berkeley, CA 94710-2721

Mr. Kevin Graves
State Water Resources Control Board
P. O. Box 944212
Sacramento, CA 94244-2102

Ms. Terry Brazell
State Water Resources Control Board
P. O. Box 944212
Sacramento, CA 94244-2102

Mr. Charles McLaughlin
Department of Toxic Substances Control
8800 Cal Center Drive
Sacramento, CA 95826-3200

Ms. Asha Arora
Department of Toxic Substances Control
700 Heinz Avenue, Suite 200
Berkeley, CA 94710

Mr. Ben Ho
Office of the State Fire Marshal
P. O. Box 944246
Sacramento, CA 94244-2460

Mr. Brian Abeel
Governor's Office of Emergency Services
P. O. Box 419047
Rancho Cordova, CA 95741-9047

Ms. JoAnn Jaschke
California Environmental Protection Agency
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Sacramento, CA 95812-2815

Mr. Gary Erbeck, Director
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Mr. Jack Miller, Assistant Director
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Mr. Michael Vizzier, Chief
Hazardous Materials Division
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Mr. Matt Trainor
Hazardous Materials Division Program Coordinator
Hazardous Materials Division
Department of Environmental Health
County of San Diego
P. O. Box 129261
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Ms. Gloria Estolano
Supervising Environmental Health Specialist
Hazardous Materials Division
Department of Environmental Health
County of San Diego
P. O. Box 129261
San Diego, CA 92112-9261

Ms. Manon Maschue
Environmental Health Specialist
Hazardous Materials Division
Department of Environmental Health
County of San Diego
P. O. Box 129261
San Diego, CA 92112-9261

2008 Unified Program Evaluation
Deficiency Progress Report

CUPA: County of San Diego CUPA
Department of Environmental Health
Hazardous Materials Division

Evaluation Date: April 23 and 24, 2008

Evaluators: JoAnn Jaschke, CalEPA
Frederick Thomas, DTSC
Marcele Christofferson, SWRCB

Date Update 1 submitted: Due July 24, 2008

Deficiency 1: Of the files reviewed, not all of the submittals required for a permit to operate, or other required submittals were found in all of the files. UPCFs are required to be retained for a minimum of five years. CUPAs are also required to collect, retain and manage any additional information required by state or federal law.

Preliminary Corrective Action(s): By June* 24, 2008, the CUPA will provide an action plan for ensuring that submitted documents are incorporated into the files. The CUPA will update CalEPA on the implementation of this plan every 90 days.

* NOTE FROM THE COUNTY OF SAN DIEGO CUPA: June 24 is an error and should be July 24, 2008.

CUPA Corrective Action, (Update 1):
The County of San Diego CUPA has implemented the following steps to correct this deficiency:

- In April 2008, DEH-HMD began requiring all UST facilities to replace existing monitoring plans with the new UPCF monitoring plan.
- In July 2008, the DEH-HMD sent a letter to all facilities with underground storage tanks (USTs) in the county, requesting owners and operators of UST systems to submit to the CUPA the new unified program consolidated forms developed by the State Water Resources Control Board to the CUPA by August 31, 2008. Owners and operators were advised that failure by businesses to submit these forms will result in non-renewal of the UST operating permit.

Deficiency 2: The CUPA is not ensuring that the facilities subject to the annual inventory submittal submit updated inventories or certify that there is no change in their inventory.

Preliminary Corrective Action(s): By July 24, 2008, the CUPA will develop and begin implementing an action plan for ensuring facilities have submitted updated inventories or certification that there is no change in their inventories. The CUPA will also update Cal/EPA on the progress of implementing the action plan, until Cal/EPA determines the deficiency has been corrected in the deficiency progress reports.

CUPA Corrective Action, (Update 1): The County of San Diego CUPA has implemented the following steps to correct this deficiency:

- In July 2008, the DEH-HMD sent a letter to all businesses identified as not having an updated inventory or certifying that there were no changes in their inventory, requesting updates to their inventory and emergency contacts as well as a signed certification statement. Letters included a summary of the business's chemical inventory and their emergency contact information.
- In July 2008, the DEH-HMD conducted training for all Environmental Health Specialists during its CUPA quarterly training session to address deficiencies encountered during the CUPA evaluation and the steps being taken to correct them. Sign up sheet and training agenda are attached to this report.
- To date, current HMBP certification statements have been received for 50% of all permitted agricultural sites in the County.

Deficiency 3: The CUPA is not citing violations in a manner consistent with the definitions of minor, Class II or Class I as provided in law and regulation.

Preliminary Corrective Action(s): By July 24, 2008, the CUPA will ensure that staff is trained and familiar with the statutory and regulatory definitions for the different hazardous waste violation classifications.

CUPA Corrective Action, (Update 1): The County of San Diego CUPA has implemented the following steps to correct this deficiency:

- In July 2008, the DEH-HMD conducted violation classification training for all Environmental Health Specialists during its CUPA quarterly training session. Sign-in sheet and training agenda are attached this report.
- In July 2008, the DEH-HMD started using the notice of violation form exclusively for Class I violations.
- In July 2008, the DEH-HMD drafted new language for the compliance inspection report to document corrective action for minor violations. Language has been submitted to County's legal counsel for evaluation and approval. Implementation of the new form is expected within the next 90 days.

Deficiency 4: The CUPA is inconsistently documenting that all facilities that have received a notice to comply citing minor violations have returned to compliance within 30 days of notification.

Preliminary Corrective Action(s): By May* 24, 2008, the CUPA will ensure that facilities who are cited for minor violations during hazardous waste inspections have either submitted the CUPA's return to compliance form or its equivalent within the required corrective action date.

* NOTE FROM THE COUNTY OF SAN DIEGO CUPA: May 24 is an error and should be July 24, 2008.

CUPA Corrective Action, (Update 1): The County of San Diego CUPA has implemented the following steps to correct this deficiency:

- In July 2008, the DEH-HMD conducted return to compliance training for all Environmental Health Specialists during its CUPA quarterly training session. Sign up sheet and training agenda are attached to this report.
- In July 2008, DEH-HMD reviewed its records to identify those facilities that are missing return to compliance documentation. An overdue report was designed to produce a list by specialist's route number.
- Report will be generated for all 30 inspection routes and will be sent to specialists on a quarterly basis to ensure that return to compliance is documented in the Kiva database system.

COUNTY OF SAN DIEGO
DEPARTMENT OF ENVIRONMENTAL HEALTH
Hazardous Materials Division

CUPA Staff Quarterly Training Meeting
Tuesday July 8, 2008
Marina Village – Coral Room
1936 Quivira Way
San Diego, CA 92109

		TOPIC	PRESENTER
7:30 a.m.	8:00 a.m.	Set Up and Networking	
8:00 a.m.	8:30 a.m.	Chief's Update (1002403-17)	Vizzier
8:30 a.m.	9:00 a.m.	Annual Certification (1000560-17)	Estolano
9:00 a.m.	9:15 a.m.	Office Assistant Update (1002403-17)	McKibben
9:15 a.m.	9:45 a.m.	EPCRA (1000560-17)	McCabe
9:45 a.m.	10:00 a.m.	What I did not learn in training / EHS I to II process (1002403-17)	Ingmanson & Javid
10:00 a.m.	10:15 a.m.	BREAK	ALL
10:15 a.m.	10:45 a.m.	Updates / Aerosol Cans (1002403-17)	Hahn
10:45 a.m.	11:00 a.m.	Combining Waste streams / Inventory Guidance (1000559-17)	Kolb
11:00 a.m.	12:00 p.m.	City of San Diego – Fire Hazardous Materials Management (1000560-17)	LARRY TRAME Fire Prevention Specialist
12:00 p.m.	1:00 p.m.	LUNCH	ALL
1:00 p.m.	2:30 p.m.	Violation Classification (1000561/559/560-17) www.calepa.ca.gov/Cupa/Documents/ViolationGuide.pdf	Vizzier
2:30 p.m.	2:45 p.m.	Break	ALL
2:45 p.m.	3:15 p.m.	RTC (1000561/559/560-17)	Trainor
3:15 p.m.	4:30 p.m.	UST: UST Files and Temporary Closure (1000561-17)	Price and Hansen

TIME TOTALS – KRONOS CODE →

1002403-17	2.3
1000559-17	1.0
1000560-17	2.7
1000561-17	2.0
1000558-17	0.0

NEXT CUPA 1/4TLY: TENTATIVELY Oct 15, 2008

LOCATION: TO BE ANNOUNCED

SURVEY

COUNTY OF SAN DIEGO
DEPARTMENT OF ENVIRONMENTAL HEALTH

Hazardous Materials Division

CUPA Quarterly Staff Training Meeting
Tuesday, July 8, 2008
Marina Village Conference Center, Coral Room
1845 Quivira Way
San Diego, CA 92109

HMD staff: Please sign in. Thanks.

Name	Signature
Anderson, Sean	S. Anderson
Archer, Veronica	[illegible]
Avastu, Mary	Mary Avas
Bodenhamer, Larry	Larry Bodenhamer
Brown, Kelly	Kelly Brown
Burke, Mike	Mike Burke
Burton, Todd	Todd Burt
Cammall, Dave	D Cammall
Chairs, Michelle	Michelle Chairs
Denslow, Vikki	Vikki Denslow
Drummond, Rafaela	Rafaela Drummond
Estolano, Gloria	Gloria E. Estolano
Fernandez, Juan	[illegible]

Fernandez, Mychelle	Mychelle Fernandez
Fitzmaurice, Mark	
Fuentecilla, Carmel	
Garchitorena, Bobby	
Gohres, Jim	
Griffith, Gary	
Hahn, Susan	
Hansen, Richard	
Herrera, Zoraida	
Ingmanson, Sonja	
Javid, Hasti	
Kieu, Bridget	
Kolb, John	
Lewallen, Cecilia	
Long, Brad	VAC
Lum, Brita	
Mann, Mike	
Marquez, Marie	Marie Marquez
Maschue, Manon	

McCabe, Mark	Mark McCabe
McCullough, Mike	
Misleh, John	John Misleh
Mogollon, Margarita	Margarita [illegible]
Mosse, Charlie	[illegible]
Norton, Louise	Louise Norton
Pearson, Jessica	[illegible]
Pence, Sande	Sandra J. Pence
Price, Michelle	[illegible]
Rapista, Robert	VACATION
Sedghi, Maryam	M. Sedghi
Shamsky, Suzy	
Swanson, Joan	Joan Swanson
Tappen, Dan	
Trainor, Matt	Matt Trainor UST & NOV-CIQ-RTC only
Vent, Nick	LEPC
Vizzier, Mike	[illegible]
Waara, Keith	[illegible]
Walsh, Todd	T. Walsh

White, Mary Lou	Mary Lou White
Wirschem, Leon	Leon Wir

Is your name missing from this list? We apologize. Sign here and next time your name will appear on the roster. Thanks!

STEVEN KHAN	

Cal/EPA's Response to the County of San Diego's Deficiency Progress Report (Update 1)

CUPA: County of San Diego, Department of Environmental Health Hazardous Materials Division

Date of Evaluation: April 23 and 24, 2008

Date Update 1 submitted: July 24, 2008

Cal/EPA, DTSC and SWRCB response

Deficiency 1: The SWRCB evaluator is pleased with the progress the CUPA is making to correct this deficiency; however, the UPCF's are only part of the submittals that must be in the file. Other submittals required for a Permit to Operate include Financial Responsibility, Operator statement of compliance, Designated Operator assignment, Site Plan, Response Plan, etc. Many of these may have already been submitted and in the electronic file. Include in the correction plan a mechanism or procedure to review files to ensure that all the required submittals are accounted for, and how the newly submitted forms will be handled and incorporated into the files.

Deficiency 2: Cal/EPA feels the plan developed by the CUPA should address this deficiency. Cal/EPA will continue to monitor the progress being made to correct this deficiency. In the next deficiency progress report, please update Cal/EPA on the progress of receiving the required information from all of the regulated facilities not just permitted agricultural sites.

Deficiency 3: DTSC will continue to monitor the progress the CUPA is making towards correcting this deficiency until the new form is approved by the County's legal counsel and is being utilized by the CUPA.

Deficiency 4: The corrective action taken by the CUPA sufficiently correct this deficiency, not further updates are necessary for this deficiency.