

Solano County CUPA Training

Aboveground Petroleum Storage Act (APSA)

Provided by Accent Communications, LLC
on behalf of the
Solano County Department of Resource Management,
Environmental Health Services
September 2, 2016

Acknowledgements

- Instructor: Paula Dueweke
- Additional information provided by:
 - California Environmental Protection Agency
 - Santa Clara County, Dept of Environmental Health, Hazardous Materials Compliance Division
 - California Office of the State Fire Marshal

Topics

- Unified Program Overview
- Laws and Regulations
- Common Violations
- APSA-The Basics
 - *Spill Prevention Control and Countermeasure (SPCC)*
- Electronic Reporting

Solano County is Your CUPA

What are the CUPA Programs?

- Hazardous Materials Business Plan
- California Fire Code Hazardous Materials Management Plan (HMMP)
- Hazardous Waste Generator
- Under Ground Storage Tanks
- Aboveground Petroleum Storage Act
- Calif Accidental Release Program

APSA Related Laws and Regulations

Violation Consequences

- **Administrative Enforcement Order (AEO)**
 - Local penalties
- **Civil Actions – Fines and legal restrictions**
 - Up to \$5,000 per violation per day for a first offense
 - Up to \$10,000 per violation per day for a second or subsequent offense
- **Criminal Actions – Fines, imprisonment**

Typical Violations in Solano County

The 'Top' Six Violations

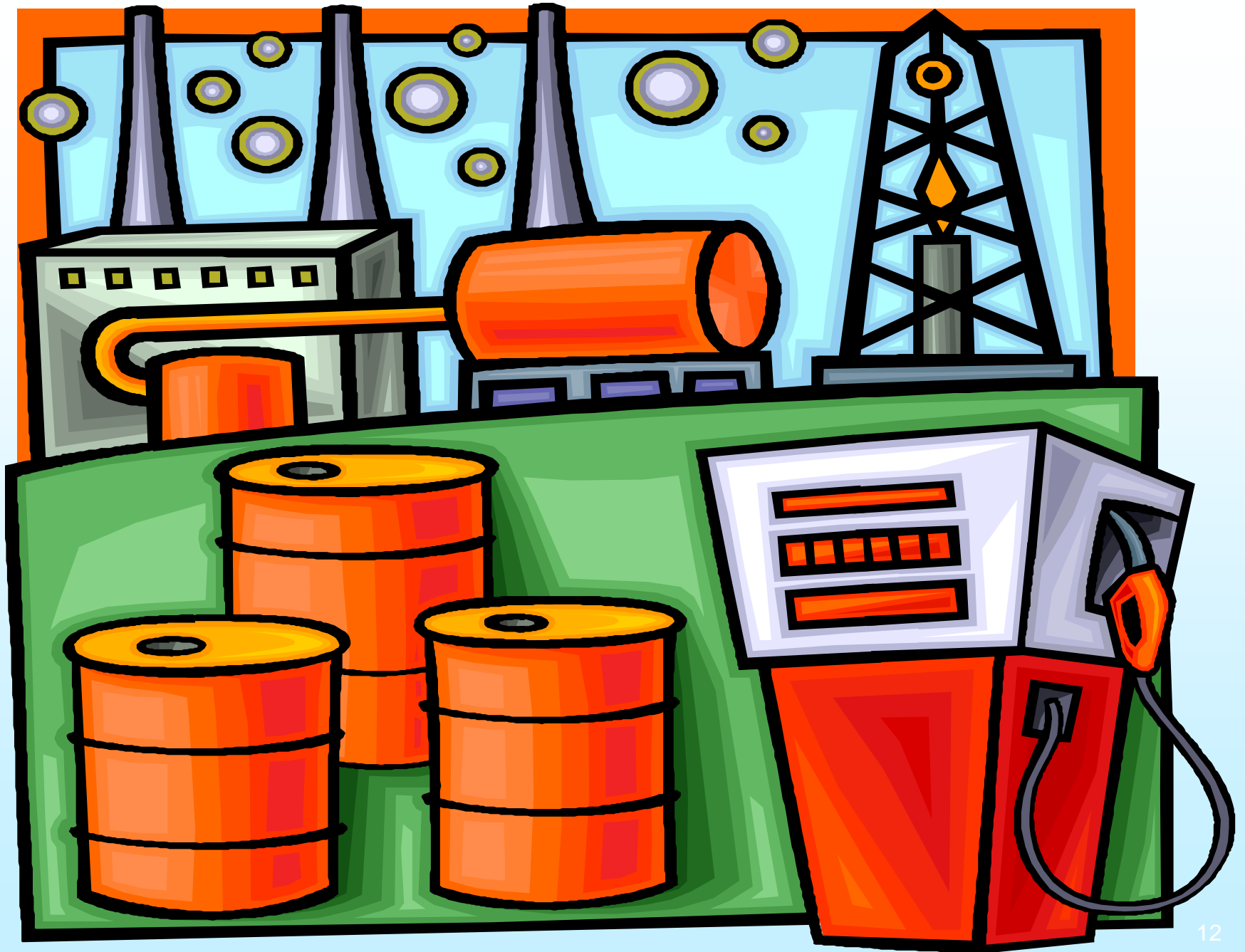
- #6- Inadequate employee training
- #5- Inadequate inspection records
- #4- Inadequate facility description
- #3- Missing Inspection records
- #2- SPCC plan not certified by engineer
- #1- Not having an SPCC plan: 40%

APSA

-The Basics

Is My Facility Regulated?

- **Generally yes, if you have 1,320 gallons or more of Petroleum products stored aboveground at your facility or stored in an underground area such as a basement or garage**





What is Not Regulated Under APSA?

- **Non-petroleum products**
- **Hazardous Waste tanks permitted by DTSC**
- **Underground storage tanks**
- **Farms, nurseries and construction sites that are exempt under federal law**
 - **Exception: single tank $\geq 20,000$ gallons and a cumulative site capacity $>100,000$ gallons**
- **Must still conduct daily inspections, allow CUPA inspections, install secondary containment if CUPA deems necessary.**

What is Required?

- Annual electronic reporting (CERS)
- Prepare and implement an SPCC (Spill Prevention Control and Countermeasure Plan)
- Train staff
- Conduct self inspections
- Comply with Federal/State regulations

Federal Regulations

- **Most oil products**
 - **Petroleum & Non-Petroleum**
- **Vegetable oils**
- **Synthetic Oils**

What are the Reporting Requirements?

- **File electronically (CERS) a Hazardous Materials Business Plan (HMBP)**

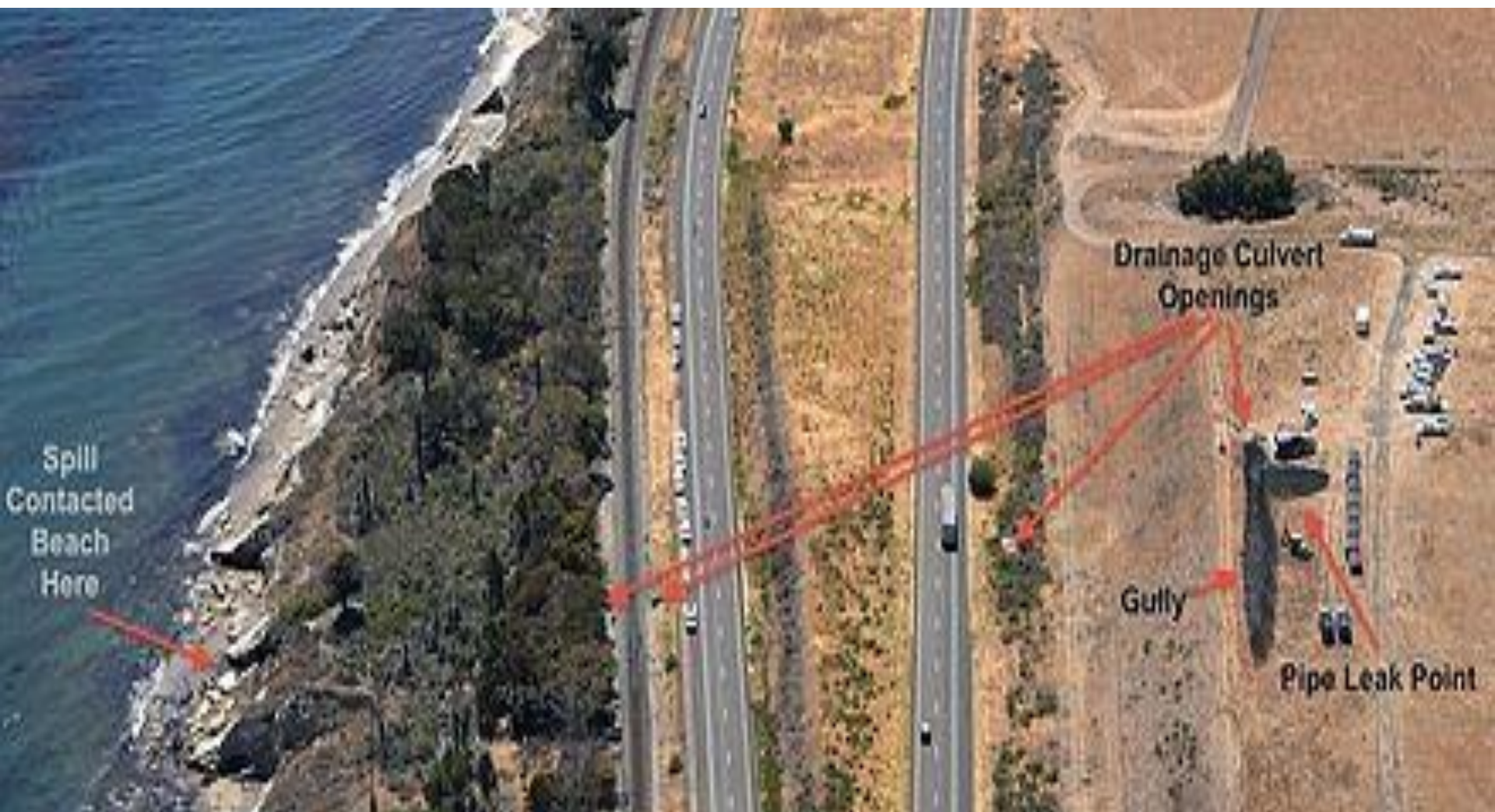
or

- **File electronically a Tank Facility Statement**

- **DO NOT FILE AN SPCC PLAN!**

SPCC Plans

- **Operating procedures at the facility to prevent oil spills;**
- **Control measures: prevent spills to navigable waters, adjoining shorelines**
- **Countermeasures: contain, cleanup, mitigate spill effects impacting navigable waters, adjoining shorelines.**



SPCC Plan Specifics...

- **Facility diagram and description of the facility**
- **Oil discharge predictions**
- **Appropriate secondary containment or diversionary structures**
- **Facility drainage**

...SPCC Plan Specifics...

- Site security
- Facility inspections
- Bulk storage containers: inspections, overfill, integrity testing
- Loading, unloading, transfer procedures
 - including piping







This is a Facility



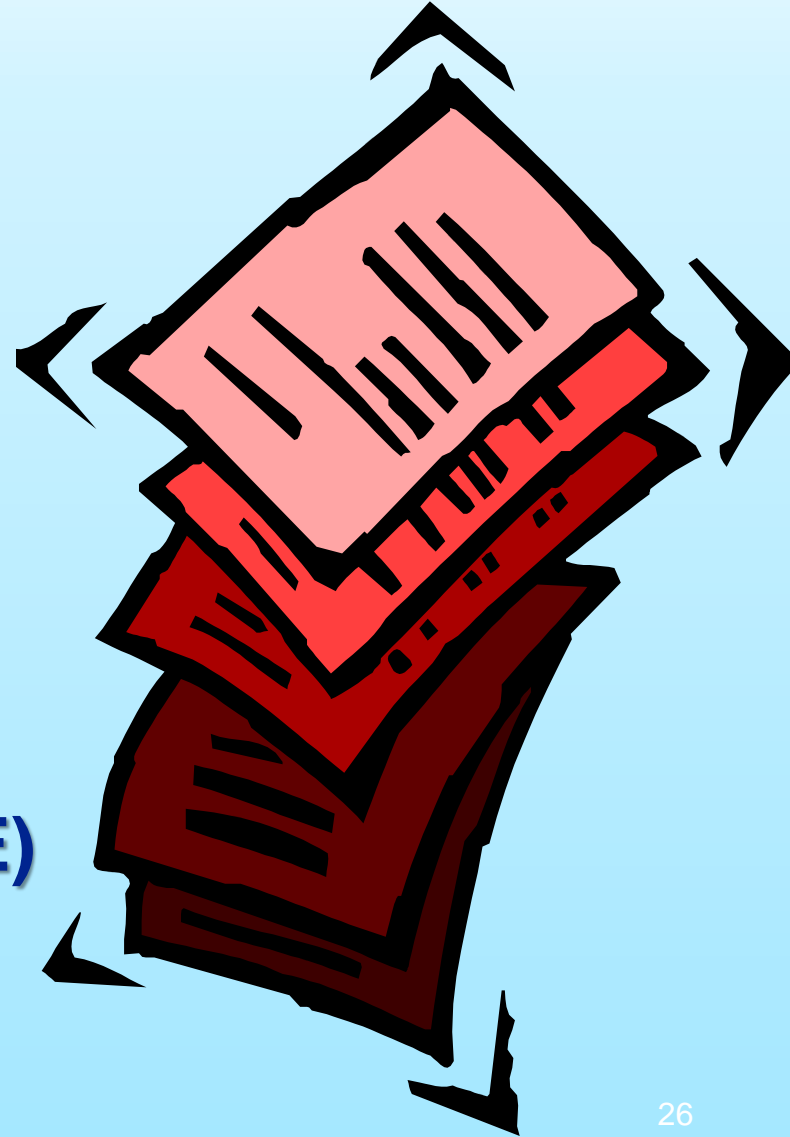
...SPCC Plan Specifics...

- Requirements for qualified oil-filled operational equipment
- Loading/unloading rack requirements and procedures for tank cars and tank trucks
- Brittle fracture evaluations for aboveground field constructed containers



...SPCC Plan Specifics

- Personnel training and oil discharge prevention briefings
- Recordkeeping
- Five-year Plan review
- Management approval
- Plan certification
(Professional Engineer (PE)
or in certain cases by the
facility owner/operator)



SPCC Self Certification

- **Total aboveground oil storage \leq 10,000, and**
- **3 years prior to the certification date of SPCC:**
 - **no single discharge of oil to navigable waters or adjoining shorelines $>1,000$ gallons, or**
 - **no two discharges of oil to navigable waters or adjoining shorelines each >42 gallons within any 12 month period.**

What Do I Do with My SPCC Plan?

- **Keep it onsite**
- **Make available to CUPA inspectors**
- **Update every 5 years minimum**
- **Do not submit SPCC electronically**

Self Inspections

- Daily inspections when contents are added or removed
- No less than 3 days a week except:
 - May skip holidays: no contents added/removed
 - CUPA may allow 3 days/week for unstaffed sites



Self Inspections

- Tank, Piping, valves (includes buried pipe)
- Fuel transfer areas, Dispensers, hoses
- Secondary containment (diked/bermed areas)
- Based on industry standards
 - Facility specific
 - Refer to your facility's SPCC
 - Inspection checklists, **Steel Tank Institute SP001**
- Document using log in SPCC

Self Inspections



Secondary Containment

- **When required by the CUPA, contain the entire contents of the largest tank protected by the secondary containment plus precipitation**
 - **Comply with Fire Code requirements.**
 - **Contact CUPA for determination of precipitation**
 - **Ex: amount from a 25, 50 or 100 year storm**

Secondary Containment



Secondary Containment



Immediate Notification of Spills

Each owner/operator shall immediately notify:

- **Office of Emergency Services and the CUPA**
 - Using designated 24-hour emergency number or 911
 - Release outside secondary containment of ≥ 1 barrel (42 gallons) OR any amount to waterways



Electronic Reporting:

Using CERS

The California Environmental Reporting System

Guidance Letters, FAQs, Help

- **Guidance Letters-posted to CalEPA web site**
- **FAQs for Business and Regulator on CERS Central**
- **Help guides on CERS Central**
- **Training Portal (Requires a CERS Security Account)**
- **Your CUPA or PA**
- **CERS@calepa.ca.gov**

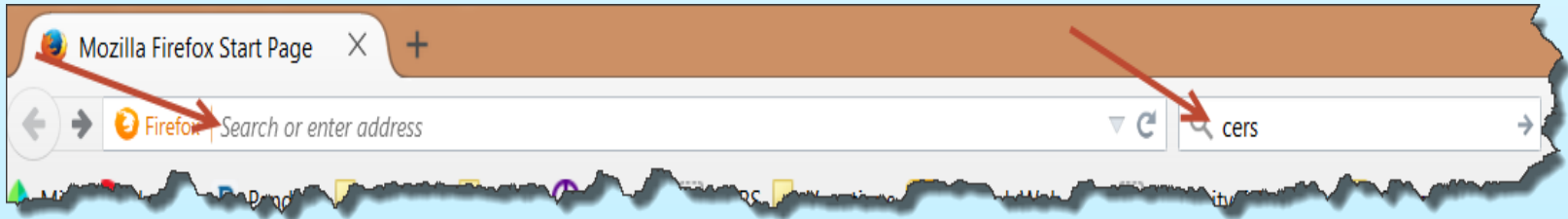
ANNUAL 'NO CHANGE' SUBMITTALS TO CERS

Report an HMBP

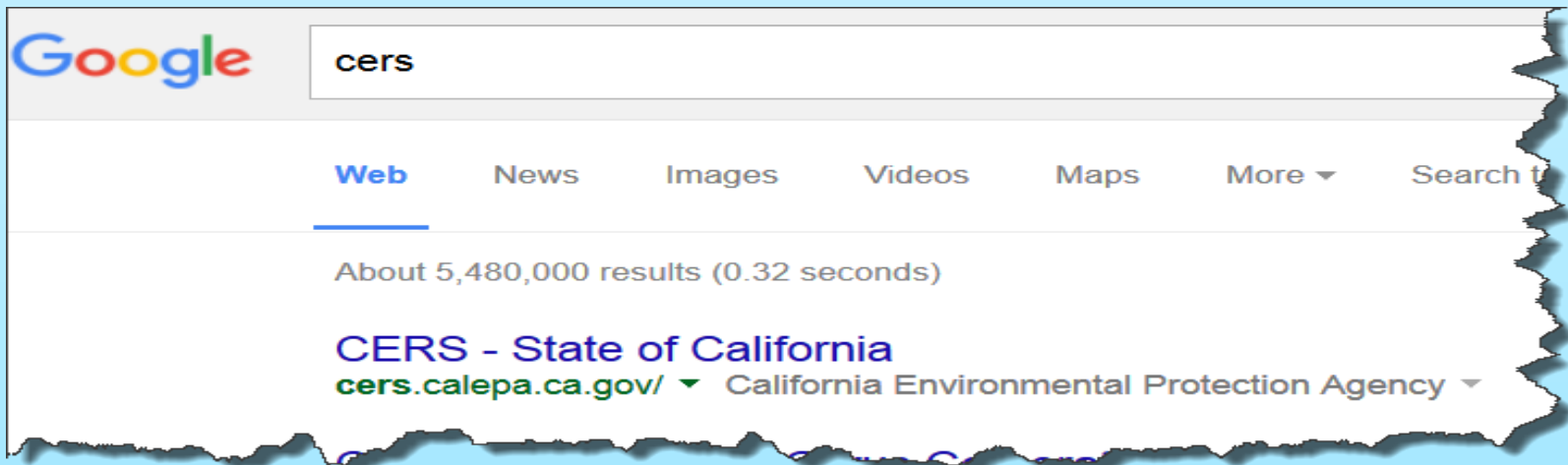
- For APSA, only submit an HMBP
- Facilities not required to file an HMBP must file a Facility Tank Statement instead
- **Do NOT file an SPCC Plan!**

Step 1: Find CERS...

- Type 'cers.calepa.ca.gov' in the URL field:



- Type 'CERS' in a search field:



Step 2: Sign in...

The screenshot shows the CERS Central website interface. At the top, there is a green navigation bar with the text "CERS Central" and several buttons: "Home", "Business Portal", "Regulator Portal", "Today", "Search", and "Contact". Below this is a sidebar menu with links for "Home", "Businesses", "Regulators", "Training", "Policy", "Announcements", "Index", and "EDT". The main content area features a green header for "Businesses" and a sub-header for "Business Portal Sign In", which is highlighted with a red box and a red arrow. Below this sub-header is a list of links: "Business User Training", "Local Reporting Requirements", "Unified Program Regulator Directory", "CERS Chemical Library", "Unified Program Internet Site", and "CERS Business User Group". At the bottom of the screenshot, there is a red heading "Businesses Must Report Electronically to CERS or a Local R" and a paragraph of text starting with "All businesses must now submit Unified Program-related informa" and "Cl" have de...

- Full reporting for a first-time entry
- Updating existing records
- Adding people/facilities

Sign in (cont'd)...

CERS Business Sign-In

Your Username

Next

[Forgot your Username or Password?](#)

CERS Business Sign-In

Your Password Protection Phrase

Enter password only if the phrase below matches what you provided in account registration.

[Wish I were flyfishing](#)

Your Password

Next

Cancel

[Forgot your password?](#)

Step 3 Making the Submittal: Start...

CERS Business

Home Submittals Facilities Compliance My Business

Home: Dans Farm
Home

Common Tasks

- START Start Facility Submittal**
CERS will help walk you through the forms and documents required for your facility(s).
- Add Facility**
If you are new to CERS, or must add new facility(s), the Add Facility pages will ensure you get started correctly!
- People/Users**
You can allow/manage other people in your business who need to view or edit your facility reporting.
- Contact Your Local Regulator(s)**
Find contact information for your facility's local regulator(s).

Facilities Add Facility... Search...

	Facility Name ▼	Address ▼	Last Submittal ▼	CERS ID ▼
Start / Edit Submittal	Dans Farm	260 Hamilton Ave, Palo Alto 94301	10/2/2015	10160774

Step 3 Making the Submittal: ...Create...



If there has been NO CHANGE in the HMBP submittal elements (*Facility Information, Hazardous Material Inventory, and Emergency Response/Training Plans*) since the last submittal, you may select the following button to prepare them.

Create All HMBP Submittal Elements

Facility Information

SUBMITTED Oct. 2, 2015

Start

Not Applicable

HMBP Submittal Elements Creation Confirmation

By selecting the Confirm button, you are certifying that:



- The information contained in the HMBP most recently submitted is complete, accurate, and up-to-date; **and**
- There has been no change since the last submitted HMBP Submittal Elements

Confirm

Cancel

Step 3 Making the Submittal: ...Finish

Submittal Summary: Dans Farm

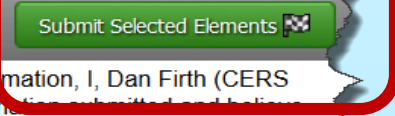
Home » Draft Submittal » Submittal Summary (10160774)

Instructions/Help

Final Submittal Checklist

- **Does your Submittal include a *Facility Information* submittal element?**
Your submittals must always include a *Facility Information* element with current business activities and owner/operator forms. The "Submit Selected Elements" button below will be disabled if you have not met this requirement. You will need to return to the [Prepare Draft Submittal](#) page and "Start" one.
- **Are you submitting all of the elements needed by your facility's regulator?**
If you must submit multiple elements for your facility (e.g., Inventory, UST), return to [Prepare Draft Submittal](#) to "Start" other elements, and then "Submit" all the elements at the same time.
- **Is your CERS Account authorized to submit data to the Regulator?**
The "Submit Selected Elements" button will be disabled if your CERS Account does not have "Lead Business User" or "Approver" permissions.
- **Have you reviewed the Certification Statement shown below?**
- **Select "Submit Selected Elements" below to submit information to your regulator.**

Confirm, Certify, and Submit Your Facility Submittal



Certification Statement: Based on my own knowledge and/or on my inquiry of those individuals responsible for obtaining the information, I, Dan Firth (CERS Account username *dfirth*), certify on 10/2/2015 under penalty of law that I have personally examined and am familiar with the information submitted and believe the information is true, accurate, and complete.

Facility Information

Ready To Submit



Information will be reported to Santa Clara County Environmental Health.

[Add Comment To Regulator](#)

Hazardous Materials Inventory

Ready To Submit



Information will be reported to Palo Alto City Fire Department.

[Add Comment To Regulator](#)

Emergency Response and Training Plans

Ready To Submit



Proof you are done...

The screenshot shows the CERS Business website interface. At the top, there is a green navigation bar with the text 'CERS Business' and several buttons: 'Home', 'Submittals', 'Facilities', 'Compliance', and 'M'. Below this is a dark grey header area with the text 'Submittal Finished: Dans Farm' and a breadcrumb trail: 'Home » Draft Submittal » Submittal Finished (10160774)'. The main content area is divided into two columns. The left column features a green checkmark icon and two sections of text. The first section states: 'You have submitted the following elements on 1/25/2016 to Santa Clara County Environmental Health' followed by a bullet point: '• Facility Information'. The second section states: 'You have submitted the following elements on 1/25/2016 to Palo Alto City Fire Department' followed by two bullet points: '• Hazardous Materials Inventory' and '• Emergency Response and Training Plans'. Below this text is a green button labeled 'Print Submittal' with a printer icon. The right column has a white box titled 'What's Next?' containing two bullet points: '• Return to the [Draft Submittal](#)' and '• Return to [Facility Home](#)'. A large, semi-transparent red watermark with the word 'Training' is visible in the bottom right corner of the screenshot.

SUBMITTALS WHEN YOU HAVE CHANGES

- **Step one: Find CERS**
- **Step two: Sign in**
- **Step three: Start...**

Step 3 Making the Submittal: Start...

The screenshot displays the CERS Business web application interface. At the top, a green navigation bar contains the text "CERS Business" and four buttons: "Home", "Submittals", "Facilities", and "My Business". Below this is a dark grey banner with the text "Home: Dans Farm" and a "Home" link. The "Common Tasks" section features four colored boxes: a green box for "Start Facility Submittal" with a "START" button icon, a yellow box for "Add Facility" with a building icon, a pink box for "People/Users" with a person icon, and a purple box for "Contact Your Local Regulator(s)" with an envelope icon. Below these is a "Facilities" section with "Add Facility..." and "Search..." buttons. A table lists facilities, with a red arrow pointing from the "Start Facility Submittal" task to the "Start / Edit Submittal" button in the table row for "Dans Farm".

CERS Business

Home Submittals Facilities Compliance My Business

Home: Dans Farm
Home

Common Tasks

- Start Facility Submittal**
CERS will help walk you through the forms and documents required for your facility(s).
- Add Facility**
If you are new to CERS, or must add new facility(s), the Add Facility pages will ensure you get started correctly!
- People/Users**
You can allow/manage other people in your business who need to view or edit your facility reporting.
- Contact Your Local Regulator(s)**
Find contact information for your facility's local regulator(s).

Facilities Add Facility... Search...

	Facility Name	Address	Last Submittal	CERS ID
Start / Edit Submittal	Dans Farm	260 Hamilton Ave, Palo Alto 94301	10/2/2015	10160774

Choose a Previous Submittal

Training Use Only! Perform Official Submittals Here

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Start New Submittal ×

Submittal Element: *Facility Information*

I would like to start my submittal...

Based upon my submittal of 8/15/2013 (Submitted) ▼

You must update/replace any out-of-date data

From scratch

50

Click to Make Changes

Facility Information

DRAFT Jun. 18, 2013 [Submit](#)

[Business Activities](#) [Ready to Submit](#) [Edit](#)

[Business Owner/Operator Identification](#) [Ready to Submit](#) [Edit](#)

[Discard Draft Submittal](#) [Miscellaneous State-Required Documents](#) [Add Comment To Regulator](#)

Hazardous Materials Inventory

DRAFT Jun. 18, 2013 [Submit](#)

[Hazardous Material Inventory](#) [Add Material](#) [Ready to Submit](#) [Discard](#)

[Site Map \(Official Use Only\)](#) [Document Needed](#) [New](#)

[Discard Draft Submittal](#) [Miscellaneous State-Required Documents](#) [Add Comment To Regulator](#)

Unified Program Local Reporting Requirements for *Petaluma City Fire Department*
Regulated facilities in this jurisdiction are required to report any quantity of hazardous material. PMC 17.21.060

Emergency Response and Training Plans

DRAFT Jun. 18, 2013 [Submit](#)

[Emergency Response/Contingency Plan: Upload Document\(s\)](#) [Ready to Submit](#) [Edit](#) [Discard](#)

[Employee Training Plan: Provided Elsewhere in CERS](#) [Ready to Submit](#) [Edit](#) [Discard](#)

[Discard Draft Submittal](#) [Miscellaneous State-Required Documents](#) [Add Comment To Regulator](#)

Aboveground Petroleum Storage Act

No Previous Submittals [Start](#) [Not Applicable](#)

Click to Make Changes

Aboveground Petroleum Storage Act Documentation: **Petaluma Fire Dept. (HQ)**

[Home](#) » [Prepare Submittal \(10448602\)](#) » APSA: Aboveground Petroleum Storage Act Documentation (Draft)

APSA Supplemental Documentation

You can meet APSA state reporting requirements by uploading a tank facility statement or by submitting a hazardous materials business plan. To upload a tank facility statement, select the **Browse** button, locate the file on your computer to upload, provide a document title, and then select **Save & Finish**.

To meet the requirement by submitting a business plan, you must submit the Facility Information, Hazardous Materials Inventory, Site Map and Emergency Response and Training Plans submittal elements through CERS. To indicate that you are using your business plan to meet the APSA reporting requirement, select the **Provided Elsewhere in CERS** document option below, select **Hazardous Materials Inventory**, then click the **Save** button.

Facilities subject to APSA shall keep a copy of their SPCC plan onsite in the facility is normally attended at least four hours per day, or at the nearest field office if the facility is not so attended.

SPCC Plans are NOT required to be uploaded into CERS and, therefore, SPCC Plans should NOT be uploaded into CERS.

Your local CUPA may request that you upload additional documentation if shown below under "Local Reporting Requirements" information.

For additional information, please contact your CUPA.

Document Options

- Upload Document(s)
- Public Internet URL
- Provided Elsewhere in CERS
- Provided to Regulator
- Stored at Facility
- Exempt

Document Upload(s)

[CERS Document Upload Policy](#)

Upload Document

Choose File No file chosen

Date Authored (Required)

7/18/2016



Document Title (Required)

Aboveground Petroleum Storage Act Documentation

Description/Comments (Optional)

Save & Upload Again

Save & Finish

Cancel

Click to Make Changes, Save and Submit

The screenshot displays two main sections of a web application interface, both in a 'DRAFT' state as of Jan. 25, 2016.

Facility Information Section:

- Header: Facility Information (DRAFT Jan. 25, 2016) with a green **Submit** button.
- Menu items (highlighted in a red box):
 - [Business Activities](#) (with printer icon)
 - [Business Owner/Operator Identification](#) (with printer icon)
- Actions: [Discard Draft Submittal](#), [Miscellaneous State-Required Documents](#), [Add Comment To Regulator](#)
- Status: **Ready to Submit** (with **Edit** button)

Hazardous Materials Inventory Section:

- Header: Hazardous Materials Inventory (DRAFT Jan. 25, 2016) with a green **Submit** button and a dropdown arrow.
- Menu items (highlighted in a red box):
 - [Hazardous Material Inventory \(2\)](#) (with printer icon) and an **Add Material** button.
 - [Site Map \(Official Use Only\): Provided to Regulator](#) (with printer icon)
- Actions: [Discard Draft Submittal](#), [Miscellaneous State-Required Documents](#), [Add Comment To Regulator](#)
- Status: **Ready to Submit** (with **Edit** and **Discard** buttons)

Proof you are done...

The screenshot shows the CERS Business website interface. At the top, there is a green navigation bar with the text 'CERS Business' and several buttons: 'Home', 'Submittals', 'Facilities', 'Compliance', and a partially visible 'M'. Below the navigation bar, a dark grey banner displays 'Submittal Finished: Dans Farm'. Underneath this banner is a breadcrumb trail: 'Home » Draft Submittal » Submittal Finished (10160774)'. The main content area features a green checkmark icon in a circle. To its right, text states: 'You have submitted the following elements on 1/25/2016 to **Santa Clara County Environmental Health**'. Below this, a bulleted list contains 'Facility Information'. Further down, text states: 'You have submitted the following elements on 1/25/2016 to **Palo Alto City Fire Department**'. Below this, a bulleted list contains 'Hazardous Materials Inventory' and 'Emergency Response and Training Plans'. At the bottom left, a green button with a printer icon and the text 'Print Submittal' is highlighted with a red rounded rectangle. On the right side, a white box titled 'What's Next?' contains two bullet points: 'Return to the [Draft Submittal](#)' and 'Return to [Facility Home](#)'. A large, semi-transparent red watermark with the word 'Training' is visible in the bottom right corner of the screenshot.

Get Help

- If you aren't sure, get help
 - Contact your CUPA

Helpful Resources

- **Solano County CUPA**
 - https://www.solanocounty.com/depts/rm/environmental_health/hazmat/default.asp
- **California Environmental Reporting System (CERS)**
 - <http://cers.calepa.ca.gov>
- **Office of the State Fire Marshal**
 - <http://osfm.fire.ca.gov/cupa/apsa>
- **US EPA**
 - <https://www.epa.gov/oil-spills-prevention-and-preparedness-regulations>

Questions?

**Solano County Department of Resource
Management, Environmental Health
Services Division**

**Contact the Hazardous Materials Staff at
707-784-6765**