



Alameda County

CUPA

2018 ANNUAL CUPA PROGRAM LETTER TO REGULATED BUSINESS

This is Alameda County Department of Environmental Health's (ACDEH) Certified Unified Program Agency (CUPA) Program Letter. The purpose of this letter is to share information that may affect your facility in the CUPA Program.

Most Common CERS Reporting Errors

Facility Submittal Element: Partial submittals of only the facility information can cause errors, which results in a rejected submittal. **When** submitting CERS elements such as the Hazardous Materials Inventory, Emergency Response and Training Plan, Tiered Permitting, Underground Tanks, etc., the Facility Information submittal element is also required to be submitted **at the same time**. In order to prevent needing to track multiple due dates, it is recommended to submit all elements of a CERS submittal on the same date.



Site map: Inadequate or incomplete facility maps will result in a rejected submittal. Review the Instructions/Help section on the Site Map upload screen. **Note:** All uploaded documents including site maps should be in a pdf format. Site maps may be used by emergency response agencies so clarity and accuracy is important. For additional CERS tips, please visit <http://cers.calepa.ca.gov/cers-tips-and-tricks/>.

New Federal Hazard Categories in CERS

U.S. EPA amended the hazardous chemical reporting regulations to incorporate the Global Harmonizing System (GHS) for Classification of Chemicals. **Changes include:** Replacing the use of MSDS with SDS, Revising the definition of "hazardous chemicals." Replacing the existing five federal hazard categories for chemical reporting with 24 physical and health hazard categories provides greater clarification, consistency, and emergency planning and response. All regulated businesses must use the revised federal hazard categories in CERS. **How to prepare the revised inventory submittal in CERS:** For existing facilities create a new CERS submittal based on a previous CERS submittal. Deselect all obsolete hazard categories. Use a current SDS to determine the new federal hazard categories. Submit chemical inventory with the HMBP in CERS to ACDEH. **How to Change Your Existing Chemical Inventory Already in CERS:** <https://cers.calepa.ca.gov/wp-content/uploads/sites/61/2017/12/Announcement.pdf>

Why is the Inspection Report so Important?

After every CUPA Inspection the facility is provided with an inspection report which provides relevant details including violations observed. If a violation is observed during the inspection, the inspection reports will include the violation, regulatory citation, what was observed and necessary actions to return to compliance. All inspection reports become part of the facility file which ACDEH maintains and available for public review.

Easy Ways to stay in compliance:

- Update and recertify ALL sections of the facility's CERS information at least every 12 months.
- Update the hazard categories for all declared hazardous materials and hazardous waste
- Refer to the facility's inspection report(s) for important information on how to correct any open violations
- Provide return to compliance documentation to ACDEH to close out violations

Helpful Contact Information for CUPA and Clean Water

General CUPA Questions: 510.567.6700

Scheduling UST Work: DEHUST@acgov.org

CERS Assistance: DEHAlamedaCERS@acgov.org



Closure of Single Walled UST Systems

Senate Bill 445 requires the permanent closure of single-walled tanks and piping by December 31, 2025. Beginning January 1, 2026 civil penalties are \$500-\$5,000 per day, per violation. There are loans and grants available from the State Water Board for tank removal, new tank installation, and clean-up of unauthorized releases, however, money is limited and funds will sunset so it is important to apply and complete work early.

Grants range from \$3,000 to \$70,000. The grant applicant is a small business and independently owned and operated. Grants require that the facility is in compliance with CERS and that all the NOV's are closed.

Loans range from \$10,000 to \$750,000 and may be obtained for 100% of eligible costs. The loan applicant is a small business which is independently owned and operated.

Clean Up Fund

This Fund provides a means for petroleum UST owners and operators to meet the federal and state requirements of maintaining financial responsibility to pay for any damages arising from their tank operations. The Fund assists a large number of small businesses and individuals by providing reimbursement for expenses associated with the cleanup of leaking USTs.

Clean Water & Waste Tire Programs

In addition to the CUPA programs, ACDEH also implements the Clean Water Program (CWP) and the Waste Tire Program (WTP). The CWP for unincorporated Alameda County includes inspection of facilities for compliance with clean water regulations, and provides outreach and education of best management practices to businesses.

ACDEH implements a grant from the California Department of Resources Recycle and Recovery (CalRecycle) to survey and inspect waste tire facilities within all of Alameda County. The Waste Tire Program applies to facilities that generate, transport, or accept waste tires. Although the waste tire facility inspection program is independent of the CUPA programs, the CUPA Inspector conducts inspections for both programs at facilities where ACDEH is the CUPA.

Federal and Amended California UST Regulations

The Proposed CA regulations are to be effective July 1, 2018. Highlights (not all) of the changes include:

- Inspection of overfill prevention equipment prior to October 13, 2018
- Prohibits installation of Ball Float Vent Valves in vent piping to meet overfill prevention requirements
- Requires emergency generators installed in or after October 2018 to have automatic line leak detectors.
- Requires single-wall piping to meet double walled requirements when repaired or replaced
- Removes 48-hour notification requirement for the following: secondary containment testing, line tightness testing, and enhanced leak detection testing
- Requires 48-hour notification for overfill prevention equipment inspection
- Added the definition of monthly to mean a calendar month
- New DO Requirements including follow up on alarms and new forms.

DISPUTES:

We conduct numerous facility inspections every year for compliance with laws and regulations related to hazardous materials, hazardous waste and aboveground and underground storage tanks. If there are differing opinions on the result of the findings made during the inspection and you cannot resolve the matter with your inspector to your satisfaction, we have a process for review. Our goal is to provide a fair and objective compliance program that is facility-specific without compromising the CUPA compliance requirements.

Please feel free to contact us for more information or suggestions that would improve our services for you. For more information, please contact your CUPA Inspector or CUPA Chief, Susan Hugo at 510-567-6780.

