



# CUPA Performance Evaluations: Determining Findings

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# CUPA Performance Assessment Overview

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- Determine CUPA's inspection currency percentage
  - APSA mandated inspections at facilities storing 10,000 gallons or more of petroleum, at least once every 3 years, per HSC 25270.5 (a)
  - APSA inspection frequency as identified in CUPA's I&E Plan, per HSC 25270.5 (b)
- Review CUPA inspector's training records
- Review the APSA inspection checklist(s)
- Review requested facility files
  - APSA CME
  - Tank Facility Statement or Hazardous Materials Business Plan
- Review Return to Compliance (RTC) for APSA violations

# CUPA Performance Assessment Overview

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- Determine annual business plan submittal percentage (in lieu of Tank Facility Statement) for APSA facilities
  - Inventory/Site Map
  - Emergency Response/Training Plans
- Review CUPA Self Audit, I&E Plan, and website
- Review CUPA responses to the Supplemental Information Request and Request for Additional Information (if necessary)

# Determining Inspection Currency Percentage

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**APSA mandated inspections at facilities storing 10,000 gallons or more of petroleum, at least once every 3 years, per HSC 25270.5 (a)**

- Supplemental Information Request: CUPA's list of APSA facilities with 10,000 gallons or more of petroleum (derived from CUPA's database) that identifies the most recent routine APSA inspection date

**APSA inspection frequency as identified in CUPA's I&E Plan, per HSC 25270.5 (b)**

- CUPA's I&E Plan requiring an inspection more frequent than the mandated inspection frequency
- CUPA's I&E Plan requiring an inspection at facilities with less than 10,000 gallons of petroleum (inspecting all APSA facilities)

# Determining Inspection Currency Percentage

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- Review CUPA's list of APSA tank facilities that store 10,000 gallons or more of petroleum:
  - Compare to CERS, check for omitted facilities
  - CERS inspection date data obtained from Facility Search report (with APSA Submittal Element and Reporting Requirement of APSA Applicable), APSA CME report and Inspection Listing report
  - Determine % of facilities that are current with inspections, per CERS and per CUPA list (Envision, etc)
- Review list of all APSA tank facilities and determine % of facilities that are current with inspections as established in the CUPA's I&E Plan

Evaluation deficiency considered if inspection currency percentage is below OSFM minimum threshold

# Example of Inspection Currency Deficiency

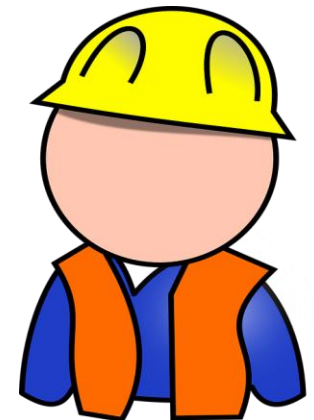
2.	DEFICIENCY:	CORRECTIVE ACTION:
	<p>The CUPA is not inspecting all APSA tank facilities that store 10,000 gallons or more of petroleum per the triennial frequency established in the CUPA's I&amp;E plan.</p> <p>Based on a review of CERS CME data:</p> <p>XX% (Y) of the ZZ APSA facilities that store 10,000 gallons or more of petroleum have not been inspected in the last three years.</p> <p>OR</p> <p>Although the CUPA meets the mandated triennial inspection frequency at APSA tank facilities that store 10,000 gallons or more of petroleum, the CUPA is not inspecting all APSA tank facilities per the triennial frequency established in the CUPA's I&amp;E plan.</p> <p>Based on a review of CERS CME data: YY% (Z) of the XX APSA facilities have not been inspected in the last three years.</p>	<p>By [UPDATE 1], the CUPA will develop, implement and provide CalEPA with an action plan to ensure all APSA tank facilities are inspected per the frequency established in the CUPA's I&amp;E plan. The action plan will include at minimum:</p> <ul style="list-style-type: none"> <li>• A sortable APSA inspection tracking spreadsheet exported from the CUPA's data management system or CERS listing each APSA facility that has not been inspected within the required timeframe. At minimum, the spreadsheet will include facility name, address, CERS ID number, facility ID number (if applicable), and last routine inspection date.</li> <li>• A proposed schedule to inspect those facilities by prioritizing the most delinquent inspections to be completed prior to any other APSA inspection.</li> <li>• Future steps to ensure that all APSA facilities will be inspected within the required timeframe.</li> </ul>
	<p><b>CITATION:</b></p> <p>HSC, Chapter 6.67, Section 25270.5(a) and (b) [OSFM]</p>	<p>By UPDATE 2, and with each Deficiency Progress Report, the CUPA will provide CalEPA with an updated version of the inspection tracking spreadsheet to show inspections that have occurred during the previous quarter.</p> <p>By [UPDATE 4], the CUPA will have inspected all APSA tank facilities per the frequency established in the CUPA's I&amp;E plan.</p>

# Review Training Records of CUPA Staff Conducting APSA Inspections

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- Certification records provided by the CUPA
- When necessary, OSFM checks its master list to confirm certification of CUPA staff

Evaluation deficiency considered if untrained inspectors performed inspections at APSA tank facilities that store 10,000 gallons or more of petroleum





# Example of Untrained Inspector Deficiency

6.	<p><b>DEFICIENCY:</b></p> <p>The CUPA is not ensuring that each inspector completes the APSA training program and passes the exam prior to conducting APSA compliance inspections at tank facilities with 10,000 gallons or more of petroleum.</p> <p>The following inspections were conducted by CUPA inspectors prior to their completion of the APSA training and passing the exam.</p> <ul style="list-style-type: none"> <li>• CERS ID xxxx Inspection: x/y/z</li> <li>• CERS ID xxxx Inspection: x/y/z</li> </ul> <p>As of x/y/z, the CUPA has 3 certified APSA inspectors.</p> <p>Note: The examples provided above were identified during the CUPA evaluation and may not represent all instances of this deficiency.</p> <p><b>CITATION:</b></p> <p>HSC, Chapter 6.67, Section 25270.5(c) [OSFM]</p>	<p><b>CORRECTIVE ACTION:</b></p> <p>By UPDATE 1, each CUPA inspector that conducts APSA inspections at facilities with 10,000 gallons or more of petroleum will complete the APSA training program and pass the exam. The CUPA will provide CalEPA with a copy of the APSA training exam certificate(s) for each inspector that will conduct APSA inspections.</p> <p>By UPDATE 1, the CUPA will identify all inspections conducted at APSA facilities storing 10,000 gallons or more of petroleum that were completed by inspectors who have not completed the APSA training program and passed the exam. The CUPA will propose a schedule for conducting compliance inspections at these facilities and have APSA trained inspectors re-inspect them.</p> <p>With each Deficiency Progress Report, the CUPA will provide an update on their progress in achieving the goals of their proposed schedule.</p>
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# Reviewing CUPA's APSA Inspection Checklist

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- Supplemental Information Request: APSA Inspection Checklist
  - Does the CUPA utilize their own checklist?
  - Does the CUPA utilize the CUPA Forum Board checklist?
- Review APSA inspection checklist(s)/form(s) utilized by the CUPA's inspectors, compare to CUPA Forum Board's checklist versions and the violation library

An observation and recommendation may be provided based on the review



# Facility File Review: APSA CME

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- APSA inspection report
  - Violations cited in the inspection reports and associated RTC documentation
- APSA CME review
  - CERS CME Data Download report with APSA Program Element selected
  - CERS history related to APSA inspections and enforcement in a three year time period
  - Review AST Outstanding Violations and AST Violation Details

Evaluation deficiency considered if CME data not properly reported to CERS

# Example of CME Reporting Deficiency

5.	DEFICIENCY:	CORRECTIVE ACTION:
	<p>The CUPA did not consistently and correctly report compliance, monitoring, and enforcement (CME) information to CERS.</p> <p>The following are APSA facility file examples of when CME data were not reported consistently or correctly in CERS:</p> <ul style="list-style-type: none"> <li>• CERS ID xxx– APSA inspection performed on x/y/z documents a violation. However, CERS has no record of the inspection or violation.</li> <li>• CERS ID xxx– APSA inspection performed on x/y/z documents a violation. However, CERS has no record of the inspection or violation.</li> </ul> <p>Note: The CUPA states that CERS CME wizard problems have resulted in incomplete CERS history.</p>	<p>By UPDATE 1 the CUPA will develop, implement, and provide to CalEPA an action plan to report collected CME information to CERS. The action plan will include, but not be limited to, the following:</p> <ul style="list-style-type: none"> <li>• Determination of why Envision does not transfer all CME information to CERS</li> <li>• Process to resolve the Envision CME information transfer issue.</li> <li>• Identification of CME information that was not reported to CERS as required</li> <li>• Process for reporting CME information to CERS that was not reported as required</li> <li>• Future steps to ensure that all CME information is reported to CERS as required</li> </ul> <p>By UPDATE 5, the CUPA will have consistently and correctly reported all CME information to CERS that was not consistently and correctly reported as required after July 1, 2013</p>
	<b>CITATION:</b>	
	<p>HSC, Chapter 6.11, Section 25404(e)(4)            CCR, Title 27, Section 15290(b)            [CalEPA, OSFM]</p>	

# OSFM Facility File Review Checklist



Office of the State Fire Marshal  
 Unified Program Agency Facility File Review Checklist  
 Hazardous Materials Management Plan and Hazardous Materials Inventory Statement  
 And Aboveground Petroleum Storage Act Programs

Unified Program Agency: \_\_\_\_\_  
 Evaluation Date(s): \_\_\_\_\_ Evaluator: \_\_\_\_\_  
 Facility File Name: \_\_\_\_\_ CERS ID: \_\_\_\_\_

**Hazardous Materials Management Plan & Hazardous Materials Inventory Statement Program:**

<p><b>Business Activities</b>                  Submittal Date (w/in last 12 months?): _____                  Accepted by UPA Date: _____  <input type="checkbox"/> Identification &amp; Declaration  <input type="checkbox"/> Additional local requirements: _____</p>	<p><b>Emergency Response Plans &amp; Procedures</b>                  Submittal Date (w/in last 12 months?): _____                  Accepted by UPA Date: _____  <input type="checkbox"/> Emergency Notification/Communication/Numbers: Local                  Emergency Response, UPA, Cal OES, Emergency                  Coordinators &amp; Onsite Technical Advisors &amp;/or Internal                  Response  <input type="checkbox"/> Local Medical Assistance  <input type="checkbox"/> Mitigation/Prevention/Abatement of Hazards: Emergency                  Containments, Clean Up Procedures, Emergency                  Equipment  <input type="checkbox"/> Notification/Evacuation of Facility  <input type="checkbox"/> Areas/systems requiring immediate inspection or isolation                  due to earthquake vulnerability</p>
<p><b>Business Owner/Operator ID</b>                  Submittal Date (w/in last 12 months?): _____                  Accepted by UPA Date: _____  <input type="checkbox"/> Business Owner  <input type="checkbox"/> Environmental Contact  <input type="checkbox"/> Emergency Contacts  <input type="checkbox"/> Additional locally collected information: _____</p>	<p><b>Employee Training Plan</b>                  Submittal Date (w/in last 12 months?): _____                  Accepted by UPA Date: _____  <input type="checkbox"/> Safe handling, coordination w/ emergency response, use                  of emergency response equipment/supplies  <input type="checkbox"/> Training in Emergency Response Procedures  <input type="checkbox"/> Frequency: Initial &amp; Refresher</p>
<p><b>Hazardous Materials Inventory – Chemical Description</b>                  Submittal Date (w/in last 12 months?): _____                  Accepted by UPA Date: _____                  Facility Information  <input type="checkbox"/> Business Name &amp; Chemical Location                  Chemical Information  <input type="checkbox"/> Chemical/Common Name  <input type="checkbox"/> CAS #  <input type="checkbox"/> Trade Secret, EHS, EPCRA  <input type="checkbox"/> Fire Code Hazard Class  <input type="checkbox"/> HazMat Type, Physical State, Fed. Hazard Categories  <input type="checkbox"/> Ave./Max. Daily Amounts  <input type="checkbox"/> Annual Waste Amt./State Waste Code  <input type="checkbox"/> Storage Container, Largest Container  <input type="checkbox"/> Storage Pressure/Temperature  <input type="checkbox"/> Hazardous Component (Mixture/Waste)  <input type="checkbox"/> Additional locally collected information: _____</p>	<p><b>Site Map</b>                  Submittal Date (w/in last 12 months?): _____                  Accepted by UPA Date: _____  <input type="checkbox"/> Orientation (North)  <input type="checkbox"/> Loading Areas  <input type="checkbox"/> Internal Roads  <input type="checkbox"/> Adjacent streets  <input type="checkbox"/> Storm &amp; sewer drains  <input type="checkbox"/> Access &amp; exit points  <input type="checkbox"/> Emergency shutoffs  <input type="checkbox"/> Evacuation staging areas  <input type="checkbox"/> Hazardous material handling and storage area  <input type="checkbox"/> Emergency response equipment (e.g., equipment for fire                  suppression, approach &amp; mitigation, PPE, medical response,                  etc.)  <input type="checkbox"/> Additional locally collected information: _____</p>
<p><b>Additional Notes, Comments and/or Observations</b>                  _____</p>	

Unified Program Agency: \_\_\_\_\_  
 Facility File Name: \_\_\_\_\_ CERS ID: \_\_\_\_\_

**Aboveground Petroleum Storage Act (APSA) Program:**

Yes  No  Is the facility regulated under APSA (has 1,320 gallons or more of petroleum, or one or more tanks in an underground area)? If yes, complete this page.  
 Yes  No  Is the facility a conditionally exempt tank facility (a farm, nursery, logging site, or construction site)?  
 Yes  No  NA  If the facility has not completed a business plan within the last 12 months, did the facility submit a tank facility statement? If yes, fill out "Tank Facility Statement" section below.  
 Yes  No  NA  Is the facility a "qualified facility" per Code of Federal Regulations, Title 40, Section 112.3 (g)?  
 Yes  No  NA  Does the facility store 10,000 gallons or more of petroleum?

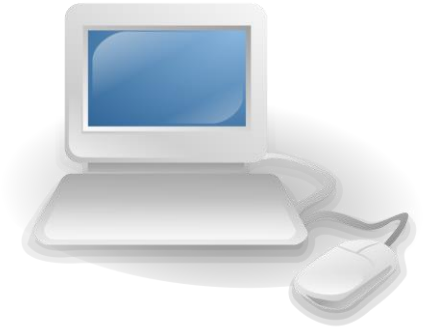
<p><b>Tank Facility Statement</b>                  Submittal Date (w/in last 12 months?): _____                  Accepted by UPA Date: _____  <input type="checkbox"/> Name &amp; Address of Tank Facility  <input type="checkbox"/> Contact Person  <input type="checkbox"/> Total aboveground petroleum storage capacity: _____                  For each storage tank that exceeds 10,000 gallons in shell capacity:  <input type="checkbox"/> Location  <input type="checkbox"/> Contents</p>	<p><b>SPCC Plan</b>                  Does the facility have an SPCC Plan? Yes <input type="checkbox"/> No <input type="checkbox"/> UNK <input type="checkbox"/>                  Date SPCC Plan certified or last 5-year review: _____                  Was an SPCC Plan submitted into CERS? Yes <input type="checkbox"/> No <input type="checkbox"/>                  (SPCC PLAN SHOULD NOT BE SUBMITTED TO CERS)                  Was the SPCC Plan in CERS accepted by UPA? Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/></p>
<p><b>Inspection</b>                  Date of last routine inspection: _____                  Date(s) of previous routine inspection(s): _____                  Any repeat violation(s)? Yes <input type="checkbox"/> No <input type="checkbox"/>                  Violation(s) classified? Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/>                  Minor violation(s): _____                  Class II violation(s): _____                  Class I violation(s): _____                  CME data in CERS? Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/></p>	<p><b>Enforcement</b>                  Informational enforcement: _____                  Date RTC achieved: _____                  Status: _____                  CME data in CERS? Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/></p>
<p><b>Additional Notes, Comments and/or Observations</b>                  _____</p>	



# Review of Facility Files: What's in CERS?

## ➤ CERS HMBP submittals review

- Business Activities
- Business Owner/Operator ID
- Hazardous Materials Inventory
- **Site Map (confirmed to contain all required elements)**
  - Evaluation deficiency considered if percentage of facilities with accepted Site Maps that are missing multiple required elements is above OSFM threshold
- Emergency Response Plans & Procedures
- Employee Training Plan
- Tank Facility statement
- **Was SPCC plan erroneously submitted by facility and subsequently accepted by CUPA?**
  - Observation considered if sufficient number of instances identified



# Example of Site Map Deficiency

<p>1.</p>	<p><b>DEFICIENCY:</b></p> <p>The CUPA is not consistently ensuring that APSA tank facilities comply with the tank facility statement reporting requirements.</p> <p>Most APSA tank facilities submit a hazardous materials business plan in lieu of the tank facility statement to CERS. However, the CUPA is not consistently ensuring that these submittals include site maps that contain all required elements.</p> <p>Review of CERS found X out of Y APSA tank facilities were missing various required elements in their recently accepted site map submittals. For example:</p> <ul style="list-style-type: none"> <li>• CERS ID 1013xxxx, 1013yyyy and 1013zzzz were missing the locations of emergency shutoffs, evacuation staging areas and locations of emergency response equipment on the site map.</li> </ul>	<p><b>CORRECTIVE ACTION:</b></p> <p>By UPDATE 1, the CUPA will develop, implement, and provide CalEPA with an action plan to ensure that future hazardous materials business plan submittals are thoroughly reviewed to ensure site maps contain all required elements. The action plan will include steps to follow-up with rejected or incomplete site map submittals.</p> <p>By UPDATE 2, the CUPA will provide a list of APSA tank facilities that have recently submitted site maps that have been reviewed and accepted. For APSA tank facilities that have been rejected for a recent site map submittal, the CUPA will provide a list of follow-up actions, including any formal enforcement.</p> <p>With each Deficiency Progress Report, the CUPA will update the list with the status of APSA tank facility compliance and provide it to CalEPA.</p> <p>By UPDATE 3, the CUPA will ensure that each APSA tank facility has submitted all required business plan site map elements or that appropriate actions were taken to enforce this requirement.</p>
	<p><b>CITATION:</b></p> <p>HSC, Chapter 6.67, Section 25270.6(a)(1) and (a)(2)          2016 CFC, Chapter 50, Sections 5001.5.1, 5001.5.2, and Appendix H          HSC, Division 12, Part 2, Chapter 1, Section 13143.9  <b>[OSFM]</b></p>	



# Determining RTC % for APSA Violations

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- CERS CME data review
  - CERS CME Data Download report (General/Regulator Report) with APSA Program Element selected
  - Data filtered to examine three year time period covered by evaluation
  - Review AST Outstanding Violations and AST Violation Details
  - Review CUPA's local database information related to APSA violation history and RTC (if available)
- Determination of RTC % (CERS and/or CUPA database)

Evaluation deficiency considered if RTC percentage is below OSFM minimum threshold



# Example of RTC Deficiency

3.	DEFICIENCY:	CORRECTIVE ACTION:
	<p>The CUPA is not consistently following-up and documenting return to compliance (RTC) information for facilities cited with violations in inspection reports.</p> <p>Review of violation information in CERS found the following:</p> <p>FY 2017/2018</p> <ul style="list-style-type: none"> <li>• APSA: X (ZZ%) out of Y violations have no documented RTC</li> </ul> <p>OSFM CERS review demonstrated lack of RTC at facilities that were cited for violation #4010001, not having a Spill Prevention, Control, and Countermeasure (SPCC) Plan. Facilities that operate without an SPCC Plan present a significant threat to human health or the environment, and the violator may benefit economically from the noncompliance either by reduced costs or competitive advantage.</p> <ul style="list-style-type: none"> <li>• In FY 2016/2017, Z facilities were cited for violation #4010001 and had no reported RTC in CERS.</li> </ul>	<p>By UPDATE 1, the CUPA will provide CalEPA with a sortable RTC tracking spreadsheet of all facilities that have open violations. The CUPA will follow-up with the facilities listed in the provided spreadsheet and prioritize follow-up actions based on the level of hazard. At minimum, the spreadsheet will include:</p> <ul style="list-style-type: none"> <li>• Facility name and address;</li> <li>• CERS ID number;</li> <li>• Facility ID number (if applicable);</li> <li>• Inspection and violation dates;</li> <li>• Scheduled RTC date;</li> <li>• Actual RTC date;</li> <li>• RTC qualifier; and</li> <li>• Follow-up actions, with timeframes.</li> </ul> <p>By UPDATE 2, and with each subsequent Deficiency Progress Reports, the CUPA will provide CalEPA with an updated version of the spreadsheet.</p> <p>By UPDATE 3, the CUPA will provide CalEPA with RTC documentation, from the previous quarter, for up to 10 facilities from each program element as requested by state agencies.</p> <p>By UPDATE 4, the CUPA will provide CalEPA with RTC documentation, from the previous quarter, for up to 10 facilities from each program element as requested by state agencies.</p>
	<p><b>CITATION:</b></p>	
	<p>HSC, Chapter 6.11, Section 25404.1.2(c)            CCR, Title 27, Section 15200(a)            CCR, Title 27, Section 15185(a) and (c)            HSC, Chapter 6.7, Section 25288(d)            [OSFM]</p>	

# Review of all APSA violation 4010001 (No SPCC Plan) instances

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## ➤ CERS CME Data Download report

- Violation 4010001 classification (No SPCC Plan) is not a minor violation
  - Facilities that operate without an SPCC Plan present a significant threat to human health or the environment, and the violator benefits economically from noncompliance, either by reduced costs or competitive advantage
  - Violation 4010001 requires RTC

Evaluation deficiency considered if sufficient instances of Violation 4010001 are misclassified or the violations lack RTC.



# Example of Violation Misclassification Deficiency

<b>1. FINDING:</b>
<p>The CUPA is not properly classifying APSA violations.</p> <p>Not having a Spill Prevention, Control, and Countermeasure (SPCC) Plan was cited as a minor violation on multiple occasions. Not having an SPCC Plan is not considered a minor violation as defined in HSC Section 25404(a)(3) and for consistency with the US EPA Civil Penalty for Section 311(b)(3) and Section 311(j) of the Clean Water Act. Based on the definition of a "minor violation," a minor violation does not include the following: (1) a violation that presents a significant threat to human health or the environment; or (2) a violation that enables the violator to benefit economically from the noncompliance, either by reduced costs or competitive advantage."</p> <p><u>FY 2015/2016 - FY 2017/2018</u></p> <ul style="list-style-type: none"><li>• Out of 2 instances of APSA violation #4010001, 2 were classified as minor</li></ul> <p>HSC, Chapter 6.67, Sections 25270.4.1(c), 25270.12, 25270.12.1, and 25270.12.5 [OSFM]</p>
<b>CORRECTIVE ACTION:</b>
<p>By [Update 1], the CUPA will train its inspectors on the terms: minor, class II, and class I violations, as described in HSC, Chapter 6.11, Section 25404(a)(3) and HSC, Chapter 6.5, Sections 25110.8.5 and 25117.6; and CCR, Title 22, Section 66260.10. Also, the CUPA will review the violation classification video, violation classification guidance fact sheet, and train personnel on when and how to properly cite violations for each program element during routine compliance inspections.</p> <p>Violation Classification:</p> <ul style="list-style-type: none"><li>• <a href="#">Violation Classification Training Video 2014</a></li><li>• <a href="#">Violation Classification Guidance Fact Sheet</a></li></ul> <p>CUPA inspectors may review training classes regarding properly classifying violations available in the video library on the CalCUPA website at <a href="https://calcupa.org/training/training-video-library.html">https://calcupa.org/training/training-video-library.html</a> or request additional assistance from OSFM.</p>

# Determining Annual HMBP Submittal Percentage: APSA Facilities Only

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- Analysis Methodology using CERS APSA Facility spreadsheet
  - Identify the total number of APSA-applicable facilities
  - Determine number of facilities with current Inventory submittals
  - Determine number of facilities with current ER Training Plan submittals

Evaluation deficiency considered if annual submittal percentage is below OSFM minimum threshold

# Example of Annual Submittal Percentage Deficiency

4.	DEFICIENCY:	CORRECTIVE ACTION:
	<p>The CUPA is not consistently ensuring that all APSA tank facilities electronically submit a complete Hazardous Materials Business Plan (HMBP) (in lieu of a tank facility statement) annually to CERS.</p> <p>OSFM review of HMBP submittals in lieu of a tank facility statement submittal in CERS found the following:</p> <p>Approximately <b>XX%</b> (<b>YY</b>) of <b>ZZ</b> APSA tank facilities have not submitted a chemical inventory and site map within the past 12 months.</p> <p>Approximately <b>ZZ%</b> (<b>XX</b>) of <b>YY</b> APSA tank facilities have not submitted emergency response and employee training plans within the past 12 months.</p>	<p>By [Update 1], the CUPA will develop and provide a list to CalEPA of all APSA tank facilities that have not annually submitted a complete HMBP.</p> <p>With each Deficiency Progress Report, the CUPA will update the list with the status of facility compliance.</p> <p>By [Update 2], the CUPA will follow-up with each APSA tank facility identified on the list to ensure a complete business plan is submitted or will initiate appropriate enforcement actions.</p> <p>By [Update 4], the CUPA will have ensured that each APSA tank facility has submitted a complete business plan or that appropriate actions were taken to enforce this requirement.</p>
	CITATION:	
	HSC, Chapter 6.67, Section 25270.6(a) [OSFM]	

# Other Review Areas: CUPA Self Audit, I&E Plan, and Website

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- Self-Audit
  - OSFM review of CUPA Self Audit metrics and performance
  - APSA facility count, annual inspections, permit process, enforcement
  - CUPA discussion of program deficiencies and related corrective actions
- I&E Plan
  - Program information on APSA and HMMP/HMIS
  - Fire Code reference
- Area Plan
  - Fire Code reference
- Website
  - Any available information on APSA or HMMP/HMIS
- Response to Supplemental Information Request, and Request for Additional Information (if necessary)



# Appendix 1. Supplemental Information Request

## ***Aboveground Storage Tank Act (APSA) Program***

1. Provide a spreadsheet derived from the **CUPA's database** (Envision, etc) that identifies the most recent routine APSA inspection date at each APSA tank facility that stores 10,000 gallons or more of petroleum
  - For each facility, the spreadsheet should include at a minimum the CERS ID number, facility name, most recent routine APSA inspection date, petroleum storage amount (if known, or the AST storage category, for example-10,000 to 99,999 gallons) and whether the facility has been determined by the CUPA to be conditionally exempt from having to prepare an SPCC Plan (farms, nurseries, logging or construction sites).
  
2. If the CUPA's I&E plan requires an inspection frequency that is more frequent than triennial at any APSA facility that stores 10,000 gallons or more of petroleum:
  - Explain below the CUPA's inspection frequency:
  
  - Provide the corresponding spreadsheet derived from **CUPA's database** (Envision, etc). For each facility, the spreadsheet should include at a minimum the CERS ID number, facility name, most recent routine APSA inspection date, petroleum storage amount (if known, or the AST storage category, for example-10,000 to 99,999 gallon, or 100,000 to 999,999 gallons) and whether the facility has been determined by the CUPA to be conditionally exempt from having to prepare an SPCC Plan (farms, nurseries, logging or construction sites).



# Appendix 1. Supplemental Information Request

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3. If the CUPA's I&E plan requires periodic inspections at APSA facilities storing less than 10,000 gallons of petroleum:
  - Explain below the CUPA's periodic inspection frequency:
  - Provide the corresponding spreadsheet derived from **CUPA's database** (Envision, etc). For each facility, the spreadsheet should include at a minimum the CERS ID number, facility name, most recent routine APSA inspection date, petroleum storage amount (if known, or the AST storage category, for example-1320 to 9,999 gallons) and whether the facility has been determined by the CUPA to be conditionally exempt from having to prepare an SPCC Plan (farms, nurseries, logging or construction sites).
4. Provide the APSA inspection checklist(s)/form(s) utilized by the CUPA's inspectors. If the CUPA uses its own checklist/form instead of the CUPA Forum Board's checklist versions (Conditionally Exempt, Tier I Qualified Facility, Tier II Qualified Facility, Full Plan), please explain why below:

Explanation:
5. Provide a spreadsheet derived from the **CUPA's database** (Envision, etc) that identifies the RTC date (or lack of RTC) for each APSA violation cited at each facility for the three year time-period covered by the current evaluation.
  - The spreadsheet should include at a minimum the CERS ID number, facility name, violation date, violation number, violation class and RTC date.
  - Describe the enforcement process the CUPA has utilized relative to facilities cited for violation #4010001 (not having a SPCC Plan) that have not RTC.

# Appendix 2.

## Generating the APSA Facility Listing Report

CERS Regulator

Submittal **Facilities** Businesses Regulators Compliance Responders Reports

Facility Search

Home » Facility Search

Search

CERS ID

Facility Name

Submittal Element: APSA

Reporting Requirement: Applicable + Always

Regulator: All Regulators

Search

Step 1: Using Facility Search, select the APSA Submittal Element, Reporting Requirement= Applicable + Always, and your CUPA as the Regulator

\* Non-Regulated

Export to Excel (Details) Export To Excel (Brief)

Page 1 of 33 10 items per page 1 - 10 of 324 items

Step 2: Use the Export to Excel (Details) button when downloading the spreadsheet



# Appendix 2.

## Generating an APSA Facility Listing Report

Export To Excel (Details) ×



**Warning!** The download you are requesting could take 5 - 10 minutes to process based on your selection criteria! The data in the spreadsheet is current as of 2/6/2019 9:55 AM. If you wish to proceed with the download select **Download Now** and please be patient.

Download Now

Cancel

Step 3: Press the Download Now button and wait.

Step 4: Using the Save As option, save the file to Desktop after naming the file

Do you want to open or save FacilityListing(Details).xlsx from cersregulator2.calepa.ca.gov?

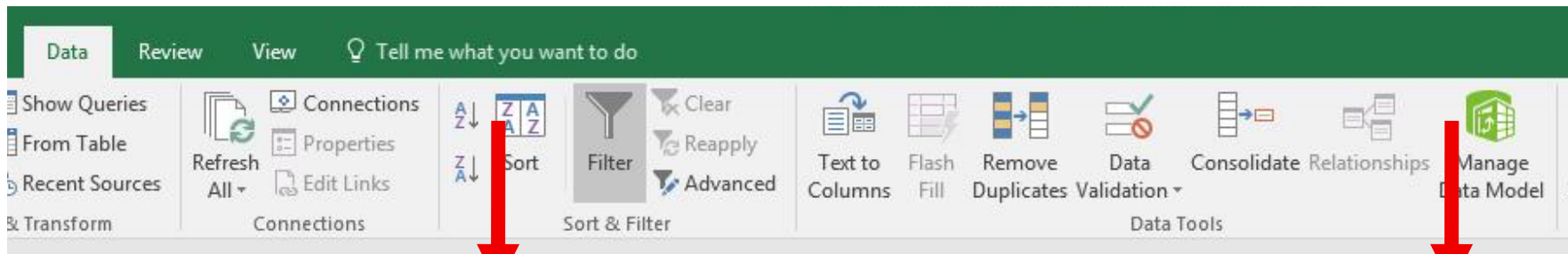
Open

Save ▼

Cancel

×

# HMBP Submittal Currency Analysis Focusing on Col DO and Col DT Data



DM	DN	DO	DP	DQ	DR	DS	DT
20.0088				20.0001	20.0088		
InventoryRepc	InventoryNext	InventoryLastS	InventoryLastA	ERTrainingReg	ERTrainingRep	ERTrainingNex	ERTrainingLast
.1 Applicable		01/05/2017	01/11/2017	6111 Applicable			01/11/2017
.1 Applicable		01/06/2017	01/11/2017	6111 Applicable			01/06/2017
.1 Applicable		01/05/2017	01/11/2017	6111 Applicable			01/05/2017
.1 Applicable		12/30/2016	01/11/2017	6111 Applicable			12/30/2016
.1 Applicable		12/30/2016	01/11/2017	6111 Applicable			12/30/2016
.1 Applicable		12/30/2016	01/11/2017	6111 Applicable			12/30/2016
.1 Applicable		12/29/2016	01/11/2017	6111 Applicable			12/29/2016
.1 Applicable		12/27/2016	01/11/2017	6111 Applicable			12/27/2016
.1 Applicable		12/22/2016	01/11/2017	6111 Applicable			12/22/2016
.1 Applicable		12/22/2016	01/11/2017	6111 Applicable			12/22/2016
.1 Applicable		12/22/2016	01/11/2017	6111 Applicable			12/22/2016
.1 Applicable		12/20/2016	01/11/2017	6111 Applicable			12/20/2016
.1 Applicable		12/20/2016	01/11/2017	6111 Applicable			12/20/2016
.1 Applicable		12/17/2016	01/11/2017	6111 Applicable			12/18/2016
.1 Applicable		12/17/2016	01/11/2017	6111 Applicable			12/17/2016



# Appendix 3. Generating an APSA CME Report

**CERS Regulator** [Home](#) [Submittals](#) [Facilities](#) [Businesses](#) [Regulators](#) [Compliance](#) [Responders](#) [Reports](#)

## Reports

[Home](#) » [Reports](#)

[Instructions/Help](#)

If you have an idea/suggestion for a report, please review the proposed/scheduled [CERS Enhancements Listing](#). If you don't see it there, click the CERS Enhancement Request Submit button on that page to offer your suggestion to the CERS change management governance process.

### General Reports

**Regulator Reports**

<p><a href="#">Unified Program Local Reporting Requirements Listing</a> View/search/download local reporting requirements for all CUPAs statewide.</p> <p><a href="#">CUPA Electronic Reporting Status</a> This report summaries by CUPA the count of facilities in CERS and how many have reported on various submittal elements during a specified time period. CUPAs and Cal/EPA can use this report to evaluate CUPA progress toward meeting the electronic reporting mandates.</p> <p><a href="#">Regional Inventory Materials Search</a> This report allows UPAs to search for specific materials in the last submitted inventories for all facilities in the user's CUPAs (or statewide for statewide viewers/regulators).</p>	<p><a href="#">New Facilities Added To CERS</a> View/search/download Facilities added to CERS within the last 30 days, or custom date range.</p> <p><a href="#">Facility Reporting Status</a> View the Reporting Requirements for all facilities in the selected CUPA, and search for facilities that have not reported to CERS since a specified date.</p> <p><a href="#">CME Data Download</a> Download Compliance, Monitoring, and Enforcement information including RCRA Large Quantity Generator facilities.</p>
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Select your CUPA as the regulator  
Select Program Element: APSA

The screenshot shows the CERS Regulator website interface. At the top, a blue navigation bar contains the text 'CERS Regulator' and several menu items: 'Submittals', 'Facilities', 'Businesses', 'Regulators', 'Compliance', 'Responders', and 'Reports'. The 'Reports' menu item is circled in red. Below the navigation bar, a dark grey header reads 'Report: CME Data Download' with a breadcrumb trail: 'Home >> Reports >> CME Data Download'. A section titled 'Instructions/Help' contains the text: 'This report generates an Excel file download CME (Inspection, Violation, Enforcement) data including RCRA Large Quantity Generator facilities.' Below this is another 'Report: CME Data Download' section with a form. The form includes a 'Regulator' dropdown menu set to '-- All Regulators --', a 'Program Element' dropdown menu set to '-- Please Select Program Element --', an 'Inspection/Enforcement Date Range' field with two date pickers and a 'to' separator, a 'CERS ID' field with a search icon, and a checkbox labeled 'Only Include Current Facility Reported as RCRA Large Quantity Generator'. A blue button labeled 'Generate Excel Report' is positioned at the bottom right of the form. Two red arrows point to the 'Regulator' dropdown and the 'Generate Excel Report' button.

Press the 'Generate Excel Report' button



# Image of Overview Tab in CERS APSA CME Report

## CERS AST CME Data Download

This spreadsheet contains AST Inspection, Violation, and Enforcement data exported from the California Environmental Reporting System (CERS). Use Excel's worksheet tabs or the hyperlinks below to access the exported data. The count of exported records is the count of unique CERS IDs where the facility is regulated by one or more UP program elements, including those where only the Facility Information submittal element is applicable. The sum of regulated facilities under each program element may be larger as some facilities will be regulated by more than one UP program element.

Inspection data may not be correct if the report is run before the UPA has completed reporting inspection data for the selected reporting period (inspection/enforcement date range).

Data Export Date/Time: 1/12/2017 2:15:55 PM

Record Filter Criteria (if any): Facility regulated by

Generated Worksheets	Count of Exported Records	Routine Inspection	Other Inspection	Routine Class 1 & 2 RTC within 90 Days	Class I Violation	Class II Violation	Minor Violation
<a href="#">Regulated Facilities</a>	373						
<a href="#">AST Inspections</a>	12	11	1	0.00%			
<a href="#">AST Violations Details</a>	20				0	8	12
<a href="#">AST Outstanding Violations</a>	12						
<a href="#">AST Enforcements</a>	6						

For more information about the meaning of the Unified Program Data Dictionary (UPDD) codes, visit the CUPA Data Registry at the following URL:

<https://cersapps.calepa.ca.gov/DataRegistry>

Overview

Regulated Facilities

AST Inspections

AST Violation Details

AST Outstanding Violation

AST Enforcements

Violations without RTC are listed on AST Outstanding Violation tab



# Appendix 4.

## Generating an Inspection Listing Report

The screenshot displays the CERS Regulator website interface. At the top, a blue navigation bar contains the text "CERS Regulator" and several menu items: "Submittals", "Facilities", "Businesses", "Regulators", "Compliance", "Responders", and "Reports". The "Compliance" menu item is circled in red. Below the navigation bar is a dark grey header for the "Statewide CME\* Information (Inspections, Violations, Enforcement Actions)" section. Underneath this header, there is a breadcrumb trail: "Home » Compliance". A red arrow points from the "Compliance" breadcrumb to the "Inspection Search" link. The main content area lists four options: "Inspection Search" (with a description: "Search and view inspections conducted by all CUPAs/PAs statewide."), "Violation Search" (with a description: "Search and view violations cited by all CUPAs/PAs statewide."), "Enforcement Action Search" (with a description: "Search and view enforcement actions by all CUPAs/PAs statewide."), and "Upload CME Data" (with a description: "Upload your agency's inspection, violation, and enforcement data in 'flat-file' format using a rigorously defined Microsoft Excel template."). At the bottom of the content area, a footnote states: "\*CME standards for Compliance, Monitoring, and Enforcement, a commonly used federal environmental acronym."

Select your CUPA as the regulator  
Select Program Element: APSA

CERS Regulator

Submittals Facilities Businesses Regulators **Compliance** Responders Reports

### Inspection Search

[Home](#) » Inspection Search

Regulator: **-- All Regulators --** Data Status:

Program Element: **Aboveground Petroleum Storage Act (APSA)** Type:  Routine  Other

CERS ID:  EPA ID:  Facility ID:

Facility Name:  Date Range:  to

RTC Date Status: **All**

**Search**

Press the 'Export to Excel' button and save the report

Export To Excel

1 2 3 4 5 6 7 8 9 10 ...

1 - 10 of 339 items

# Questions? Contact Us.

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