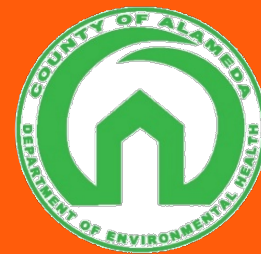




Alameda County Department of Environmental Health Hazardous Materials Division / CUPA

HAZMAT NEWS Compliance Matters



2019 ANNUAL NEWSLETTER

What's New with CERS?

New Federal Hazard Categories

The United States Environmental Protection Agency amended the hazardous chemical reporting regulations to incorporate the Occupational Safety and Health Administration Globally Harmonized System of Classification and Labelling of Chemicals. Changes include:

- ➔ Replacing the use of MSDS with SDS,
- ➔ Revising the definition of "hazardous chemicals," and
- ➔ Replacing the existing five federal hazard categories for chemical reporting with **24 physical and health hazard categories**.

Standardized categories of chemicals provide better clarification, consistency, and emergency planning and response. It benefits California businesses by eliminating duplicate reporting when Emergency Planning and Community Right-to-know Act reporting requirements are applicable. **All California-regulated businesses must use the revised federal hazard categories in the California Environmental Reporting System (CERS).** Please see "How to Change Your Existing Chemical Inventory Already in CERS" at

<https://cers.calepa.ca.gov/wpcontent/uploads/sites/61/2017/12/Announcement.pdf>.

CERS 3.0

On April 1, 2019, CERS was updated by California Environmental Protection Agency (CalEPA). Some important changes are:

Aboveground Petroleum Storage Act (APSA) Program

Businesses will now be able to report information into the new APSA submittal element including:

- ➔ Date of the Spill Prevention, Control, and Countermeasure (SPCC) Plan Certification or 5-Year Review,
- ➔ Total aboveground storage capacity of petroleum, and
- ➔ Number of Tanks In An Underground Area (TIUGA)

Underground Storage Tank (UST) Program

CERS will automatically issue a unique and specific tank identification number for each UST reported in CERS.

⚠ Re-submit draft submittals in CERS that may not have been saved during the update.

MORE NEWS

Our new website is coming soon!



Outstanding CUPA

Alameda County Department of Environmental Health Hazardous Materials Division was awarded top awards – CalEPA Secretary's Environmental Achievement Award and Outstanding Certified Unified Program Agency.



CERS Training

ACDEH CUPA hosted training workshops on March 21 and April 11, 2019 for businesses under the Hazardous Materials Business Plan (HMBP) program. Attendees learned about current CERS requirements and completing their HMBP submittal in CERS.

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 cleanup of unauthorized releases; however, money is limited and funds will sunset soon so it is important to apply and complete work early.

Loans range from \$10,000 to \$750,000 and may be obtained for 100% of eligible costs, while grants range from \$3,000 to \$70,000. Loans and grants are available to applicants of independently-owned and operated small businesses.

⚠️ Your facility must be in full compliance to be eligible for grants.



UST Cleanup Fund

The UST Cleanup 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.

Please contact DEHUST@acgov.org to schedule UST work.

Tank in an Underground Area (TIUGA)

Effective July 1, 2018, some facilities with less than 1,320 gallons of petroleum with TIUGAs would be subject to APSA.

Under APSA, a TIUGA is a stationary tank to which all of the following apply:

- ➔ The storage tank has the capacity to store 55 gallons or more of petroleum.
- ➔ The storage tank is located on or above the surface of the floor in a structure at least 10 percent below the ground surface, including, but not limited to, a basement, cellar, shaft, pit, or vault.
- ➔ The structure in which the storage tank is located must provide for secondary containment of the contents of the tank, piping, and ancillary equipment, until cleanup occurs.
- ➔ The storage tank meets one or more of the following categories:

Lubricant/coolant tank – Contains petroleum (new or used oil) as lubricant or coolant in motor engines, transmissions, or oil-filled operational or manufacturing equipment.



Hazardous waste tank – Contains petroleum that is considered a hazardous waste and complies with the hazardous waste tank standards in the California Code of Regulations Title 22, Division 4.5, Chapter 15, Article 10.

Petroleum storage tank used solely in connection with a fire pump or an emergency system – The structure in which the storage tank is located must allow for direct viewing of the exterior of the tank except for the part of the tank in contact with the surface of the floor.

For more information, please refer to the fact sheet for Tanks in Underground Areas in the APSA Program at <http://osfm.fire.ca.gov/cupa/pdf/TIUGA-FactSheet-23Apr2018.pdf>.

CERS 3.0 (Continued)

Since the statewide implementation of CERS six years ago, common reporting errors with submittals have been identified. Avoiding these types of errors when submitting to CERS will help increase the likelihood that your submittal will be accepted, saving you time and effort.

Most Common CERS Reporting Errors

Partial submittals can cause errors and may result in a rejected submittal. When submitting CERS elements such as:

- ➔ Hazardous Materials Inventory,
- ➔ Emergency Response and Training Plan,
- ➔ Tiered Permitting,
- ➔ Underground Tanks, etc.

submit the Facility Information submittal element at the same time.

Inadequate or incomplete facility/site map will result in a rejected submittal. Review the Instructions/Help section on the Site Map upload screen. For additional CERS tips, please visit <http://cers.calepa.ca.gov/cers-tips-and-tricks/>.

Please contact DEHCERS@acgov.org for CERS assistance.

Easy Ways to Stay in Compliance

- ➔ Update and recertify ALL sections of the facility's CERS information at least every 12 months
- ➔ Refer to the facility's inspection report(s) for important information on how to correct any open violations
- ➔ Submit proof of correction of violations to ACDEH in a timely manner
- ➔ Pay your permit fees

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.

Please feel free to contact us for more information or suggestions that would improve our services to you.

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