CUPA connection quarterly

County of Orange Health Care Agency
Environmental Health Services
Certified Unified Program Agency

Designated Operator Responsibilities

Underground Storage Tanks

The Designated Operator (DO) is a person or group of people chosen by the facility owner to carry out specific tasks regarding the UST facility. The DO may be a facility owner, operator, employee, or outside contractor. Every DO must pass the California UST System Operator examination in order to conduct designated operator activities and must renew their license every 24 months.

The Designated UST operator(s) shall perform monthly visual inspections of all underground storage tank systems for which they are designated. The results of each inspection shall be recorded in a monthly inspection report. Inspections shall include but are not limited to the following:

1. Reviewing the alarm history report or log for the previous month, and checking that each alarm condition was documented and responded to appropriately. A copy of the alarm history report or log, along with documentation describing action taken in response to any alarm(s), shall be attached to the monthly visual inspection record.
2. Inspecting for the presence of a hazardous substance, water, or debris in spill containers.
3. Inspecting for the presence of hazardous substance, water, or debris in under-dispenser containment areas, and checking that the monitoring equipment in these areas are located in the proper position to detect a leak at the earliest possible opportunity.
4. Inspecting for the presence of a hazardous substance, water, or debris in containment sumps that, in the past month, have had an alarm for which there is no record of a service visit, and checking that the monitoring equipment in these containment sumps are located in the proper position to detect a leak at the earliest possible opportunity.
5. Checking that all required testing and maintenance for the underground storage tank system have been completed, and documenting the dates these activities occurred.
6. Verifying that all the facility employees have been trained in accordance with the subdivision. ●

Above Ground Storage Tank Compliance

On October 7, 2010, EPA maintained the November 10, 2010 compliance date for drilling, production or workover facilities that are offshore or that have an offshore component, and for onshore facilities required to have and submit Facility Response Plans (FRPs). However, EPA extended the compliance date an additional year for all other facilities to amend or develop a SPCC Plan until November 10, 2011.

EPA also delayed the SPCC compliance date by which a facility must address milk and milk product containers, associated piping and appurtenances constructed according to current applicable 3-A Sanitary Standards, and that are subject to the current applicable Grade "A" Pasteurized Milk Ordinance (PMO) or equivalent State regulatory requirement. The date is delayed one year from the effective date of a final rule specifically addressing these milk and milk product containers.

The amendments do not remove the regulatory requirement for owners or operators of facilities in operation before August 16, 2002, to maintain and continue implementing an SPCC Plan in accordance with the SPCC regulations then in effect. Such facilities continue to be required to maintain Plans during the interim until the applicable compliance date for amending and implementing the amended Plans.

The purpose of the SPCC rule is to establish requirements for facilities to prevent a discharge of oil into navigable waters or adjoining shorelines. Deep water drilling, production or workover facilities are typically not subject to EPA jurisdiction and will not be impacted by this action.

For training on how to fill out the EPA Tier 1 Template:

http://www.sdcounty.ca.gov/deh/hazmat/hmd_tier_1_template_course.html ●

Upcoming Events

Underground Storage Tanks: Advanced Topics and E-Submit Business Portal

January 11, 2011 from 8:30 a.m. to 12 noon (sign-in begins at 8 a.m.)

Huntington Beach Central Library (inside the theater):
7111 Talbert Ave., Huntington Beach, CA 92648

This is an advanced course designed for owners/operators or for UST environmental/compliance managers. Learn how to meet your AB2286 electronic reporting requirements. For a more detailed training outline, please visit our website: www.occupainfo.com/ust.htm.
Refreshments will be served, seating is limited, so please RSVP early!

To register, please contact: Christine Lane, clane@ochca.com, 714-433-6243

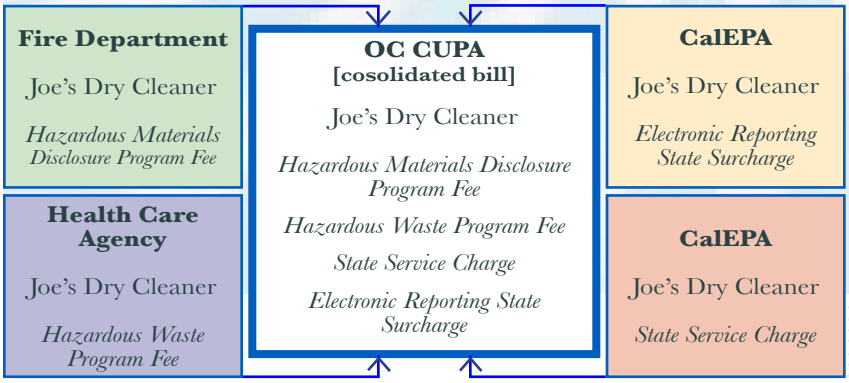
CUPA Consolidated Billing

What Businesses Can Expect

Since 2002, Orange County CUPA (Certified Unified Program Agency) has implemented CUPA consolidated billing which incorporates the fees from five different regulatory programs into a single invoice. The five programs are: Hazardous Waste (HW), Tiered Permitting, Hazardous Materials Disclosure/Inventory, California Accidental Release Prevention Plan (CalARP), and Underground Storage Tanks. This invoice will also include the State Service Charge and an Electronic Reporting State Surcharge.

A CUPA is mandated by State regulations found in Title 27 of the California Code of Regulations to develop a single fee system, which incorporates a consolidation of the separate program fees into one invoice. What this means to you, the regulated business, is that instead of receiving three or four separate bills from participating agencies that may enforce one or more of five programs, you will receive one annual invoice instead. The most common scenario for a business that stores hazardous materials and generates hazardous waste is to receive a fee from the Fire Department for the hazardous materials disclosure program, a HW generator fee from the Health Care Agency (HCA), and two surcharge fees from the State. The State Service Charge and Electronic Reporting Surcharge must be assessed to all businesses that are regulated by any of the five programs. The diagram below provides a visual picture of the consolidated billing process.

Due to this consolidation, HCA will only be able to send the invoice to one address. In most cases this address will be the facility site address. For underground storage tank sites, the consolidation bill will typically be sent to the tank owner. Remember that this address must accommodate all the fees from any of the five regulatory programs impacting your business. For example, an underground storage tank facility will have a UST fee, Hazardous Material Disclosure fee, possible Hazardous Waste Generation fee, and State fees. We hope that your business will find the consolidated billing more convenient. If you have any questions regarding billing, please contact CUPA staff at (714) 433-6000 or visit: http://occupainfo.com/hazardous-specialists.pdf, for more information. ●



We Would Love To Recognize Your Business!!!

This reserved space commends a business or organization for their commitment to prevent and reduce their generation of hazardous wastes, industrial discharges, or air emissions into our environment.

Some examples of preventative activities include: educating employees through workshop or demonstrations, utilizing pollution reduction technology, reusing or recycling waste streams, sourcing reduction through input product or process changes, and maintaining "good" housekeeping practices.

If you feel your business or organization deserves this recognition, please e-mail nmastella@ochca.com so that we can recognize your business or organization in upcoming publications.

13th Annual Cal CUPA Training Conference

Garden Grove Hyatt

Jan. 31, 2011 to Feb. 3, 2011

Get trained with your regulatory agencies, and share experiences and knowledge in a conference setting.

We invite you: **businesses, consultants, agencies, industry professionals, academia, and public officials** to join us for presentations and training that will emphasize all six CUPA programs. Presentations range from basic chemistry to risk management, all the way to documentation preparation, inspections and enforcement.

Please check www.CALCUPA.net for information regarding registration and hotel accommodations.