



HAZMAT NEWS

Compliance Matters

Alameda County Environmental Health Department Hazardous Materials Division / CUPA

Hazardous Materials Business Plan (HMBP) Program Update California Environmental Reporting System (CERS) NextGen

California Environmental Protection Agency (CalEPA) is currently developing **CERS NextGen** to move CERS to a cloud-based platform, streamline processes, and re-align with the overall goals of the Unified Program. CERS NextGen is expected to launch on **January 1, 2027**. Previously submitted HMBPs will remain accessible in a read-only format. As such, when a facility submits a HMBP for the first time in CERS NextGen, the facility will need to manually enter all HMBP information, including the chemical inventory, in order to comply with the system requirements. For more information and updates: <https://cers.calepa.ca.gov/cersnextgen/> Project Email: CERSNextGen@CalEPA.ca.gov

Hazardous Waste Generator (HWG) Program Update

The Generator Improvements Rule (GIR) went into effect on **July 1, 2024**. The rulemaking reorganized several sections of the CCR and made other updates to align with federal requirements for Generators. There are changes for both Small Quantity Generators (SQG) and Large Quantity Generators (LQG) of hazardous waste listed under the Resource Conservation and Recovery Act (RCRA) and non-RCRA waste, which include:

- A re-notification requirement for SQGs & LQGs of RCRA waste
- Re-notification of generator status must be submitted via U.S. EPA form 8700-12 or electronically via RCRAInfo (<https://rcrainfo.epa.gov/>)

SQG generating RCRA waste	LQG generating RCRA waste
Re-notify every 4 years by September 1st	Re-notify every year by March 1st
Effective July 1, 2024	Effective Jan 1, 2026

- Additional labeling and marking requirements for containers and tanks
- Additional pre-transportation marking requirements for containers
- New RCRA LQG *facility* closure & RCRA and non-RCRA LQG *container* closure requirements
- Increased requirements for satellite accumulation areas
- New requirements added to the preparedness, prevention, and emergency procedures
 - a) Documenting those arrangements with local authorities that were made or attempted to be made by the generator (ACEHD Template: <https://deh.acgov.org/hazmat/hwg>)
 - b) A Quick Reference Guide (QRG) that summarizes a LQG's contingency plan
- Additional requirements for containers holding ignitable and reactive wastes for LQGs

For more information: <https://dtsc.ca.gov/generator-improvements-rule/>
<https://dtsc.ca.gov/faqs-for-the-adoption-of-gir/>

2025 ANNUAL NEWSLETTER

State Surcharge Decrease

Beginning July 1, 2025 the State Surcharge required by CalEPA will *decrease* by \$27 to **\$67**. For more information, go to <https://calepa.ca.gov/unified-program-home/cupa-state-surcharges/>

Aboveground Petroleum Storage Act (APSA) Program Update

Recent updates to the APSA Program regulations (California Code of Regulations [CCR], Title 19, Division 1, Chapter 11) became effective on **December 17, 2024**.

Businesses must now complete and submit the APSA Facility Information in CERS annually. Tank facilities that maintain a Spill Prevention, Control, and Countermeasure Plan (SPCC) must maintain on site up to 3 years of training and discharge prevention briefing records.



REMINDER

You are required to notify ACEHD, 30 days prior, if your facility:

- Is no longer subject to CUPA requirements (within 30 days)
- Relocated
- Closed

Please contact: DEHALAMEDACERS@acgov.org



Underground Storage Tank (UST) Program Update

Senate Bill 445 requires the permanent closure of single-walled tanks and piping by **December 31, 2025**. Single-walled UST systems that are not permanently closed by the end of the year will be out of compliance and cannot be operated. By January 1, 2026, UST systems not in compliance will be red tagged, rendering facilities unable to accept fuel deliveries. All remaining fuel must be removed within 48 hours and properly disposed. Owner/operator(s) may be liable for civil penalties from \$500 up to \$5,000 per day, per violation, per tank.

Licensed UST contractors are currently scheduling through 2025. Additionally, lead times for UST replacement equipment can take up to one year or more once ordered. Failing to secure a contractor or replacement equipment ahead of the closure deadline will not relieve single-walled UST owner/operator(s) from the aforementioned red tagging and civil penalties.

Removal and installation of USTs require a permit from ACEHD. Contact DEHUST@acgov.org for permitting requirements or to submit an application.



UST Testing Notification Requirement

Notification to ACEHD is required **48 hours** prior to conducting UST work. Contact ACEHD at DEHUST@acgov.org to schedule work and/or to apply for a permit.

Waste Tire Program

Around 57 million waste tires were generated in 2023; about 35% of those tires were recycled as reuse, retreads, crumb rubber, and more (*California Waste Tire Market Report, 2023*). CalRecycle has adopted a 75% waste tire recycling goal, which is in alignment with a statewide 75% recycling goal for all waste materials mandated by AB 341 (*Chesbro, Chapter 476, Statutes of 2011*).

Businesses that dispose of waste tires must have a Tire Program ID (TPID) number and can obtain one by contacting the Waste Tire Manifest Program at 866-896-0600. Complaints on unpermitted waste tire haulers and facilities, abandoned tires or excessive stockpiles can be reported by emailing WasteTires@calrecycle.ca.gov. For more information: <https://calrecycle.ca.gov/tires>

Non-compliant vs compliant waste tire facility

Improper set back from property line (*left*), proper storage of tires (*right*)



Common Violations and Enforcement

California Department of General Services (DGS)

Last year, Sacramento and Alameda County's District Attorney's offices agreed to a settlement with DGS for UST, hazardous materials, and hazardous waste violations for the Elihu Harris State Building in Downtown Oakland. Violations included operating without a UST permit, failure to perform required inspections, testing, and employee training, failure to maintain proper records, and improper labeling and storage of hazardous waste. The settlement totaled **\$2,665,000**, which includes civil penalties and costs.

Oak Harbor Freight

District Attorneys in 15 counties throughout California, including Alameda County, agreed to a settlement with Oak Harbor Freight for hazardous waste violations. Violations included improper disposal of hazardous waste (waste found in dumpsters, on the ground, or at landfills not authorized to receive hazardous waste), failure to identify hazardous waste generated at their facility and managing that waste accordingly, failure to maintain proper records (including waste manifests, an active EPA ID, and other HMBP and HWG program violations). The settlement totaled **\$835,000**, which includes civil penalties and costs.

Environmental complaints can be made at:

<https://deh.acgov.org/complaint-form>

<https://oag.ca.gov/environment/contact>



E-cigarettes: A Hazardous Waste

E-cigarettes, also known as e-cigs, vapes, or pens, contain lithium batteries and nicotine that must be disposed of as hazardous waste under RCRA and regulated by ACEHD CUPA.

Vapes should not be emptied or rinsed down the drain, dumped on the ground, or placed in the trash or recycling. Improper handling or disposal may result in civil or criminal penalties.

Households and qualifying small businesses may be able to utilize Alameda County's Household Hazardous Waste (HHW) Program to properly dispose of used e-cigarettes.

US EPA Guidance: <https://www.epa.gov/hw/how-safely-dispose-e-cigarettes-information-schools-and-small-businesses>

ACEHD HHW Program: <https://www.stopwaste.org>

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Comments or concerns? If there are differing opinions on the result of findings made during an inspection, and you cannot resolve the matter with the 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.