



Alameda County Department of Environmental Health Hazardous Materials Division / CUPA

HAZMAT NEWS Compliance Matters



2020 ANNUAL NEWSLETTER

Compliance During COVID-19

Business Not As Usual During the Shelter in Place Order

Facilities remain responsible for compliance with all regulatory and statutory requirements.

Alameda County Department of Environmental Health Hazardous Materials Division (ACDEH HMD), your Certified Unified Program Agency (CUPA), is aware that the Shelter in Place Order (starting on March 17, 2020) due to the coronavirus disease 2019 (COVID-19) pandemic may present challenges to regulated facilities with compliance due to various factors such as worker shortages, travel and social (physical) distancing restrictions, and laboratory and vendor business closures and slowdowns. If during the period of the Shelter in Place Order compliance with a facility's obligations is not reasonably practicable, then regulated parties should:

- ➔ Act reasonably under the circumstances in order to minimize the effects and duration of any noncompliance caused by COVID-19,
- ➔ Return to full compliance as soon as possible, and
- ➔ Document efforts to comply.

Hazardous Waste Accumulation

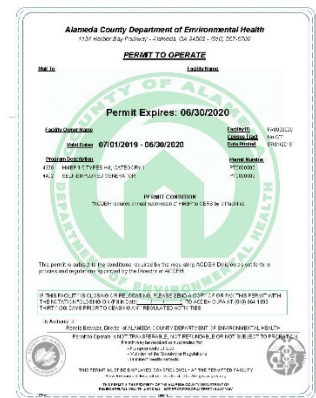
If during the period of the Shelter in Place Order your facility needs regulatory assistance, contact your CUPA inspector.

- ➔ Resource Conservation and Recovery Act (RCRA) hazardous waste storage extension is granted by the Department of Toxic Substances Control. The 30-day storage extension application is available at <https://dtsc.ca.gov/30-day-storage-extension-application/>.
- ➔ Non-RCRA or RCRA-exempt hazardous waste storage extension may be requested from your CUPA by sending a letter by certified mail according to California Code of Regulations (CCR) §66262.35.

⚠️ You may email a copy of your extension request letter to DEHCERS@acgov.org followed by certified mail during the Shelter in Place Order.

FREQUENTLY ASKED QUESTIONS

Check the CUPA website at <https://deh.acgov.org/hazmat/>



New HMBP Permit Condition

Starting July 1, 2020, ACDEH permits for facilities in the Hazardous Materials Business Plan (HMBP) program will require submittal of a complete HMBP every year to the California Environmental Reporting System (CERS).

Generator Improvement Rule

New hazardous waste requirements that may be coming soon include:

- ➔ New requirements for re-notification and preparedness, prevention, and emergency procedures for small- and large-quantity generators (LQG)
- ➔ Additional marking and labeling requirements for containers and tanks
- ➔ New LQG closure requirements
- ➔ Increased requirements for satellite accumulation areas

More information is available at <https://dtsc.ca.gov/generator-improvements-rule/>.

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, facilities not in compliance may be liable for civil penalties up to \$5,000 per day, per violation, per tank.

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 applications will only be accepted until December 31, 2024 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 Underground Storage Tank (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 many small businesses and individuals by providing reimbursement for expenses associated with the cleanup of leaking USTs.

COMING SOON

FREE training on single-wall UST removal, UST system requirements and hazardous waste for small quantity generators. Ongoing CERS training is also available. Keep your contact information in CERS up to date!



Overfill Prevention Equipment

Effective October 1, 2018, CCR Title 23 §2637.2 requires all UST owner/operators to have their UST overfill prevention equipment inspected by October 13, 2018 and every 36 months thereafter.

Please notify ACDEH CUPA through DEHUST@acgov.org at least 48 hours before any UST work.

⚠️ Facilities not in compliance with the new regulations may be liable for penalties up to \$10,000 for each UST, for each day of violation (Health and Safety Code §25299) and prosecuted.

Tanks Regulated by APSA

The Aboveground Petroleum Storage Act (APSA) regulates facilities with either 1,320 gallons aggregate of petroleum storage in aboveground tanks or stationary tanks in an underground area (TIUGA) of greater than 55 gallons.

Periodic inspections of aboveground petroleum storage tanks can prolong the life of your tanks. Here are checklists that can help you during your inspection.

➔ The Steel Tank Institute (STI) has standards for shop-fabricated tanks along with monthly and annual checklists. The STI Standard SP001 checklists are not copyrighted and available at <https://tinyurl.com/yazdfllsk>.

⚠️ Note that these checklists are to be used in conjunction with the STI Standard SP001 and using these checklists alone do not constitute compliance with STI SP001.

➔ The monthly TIUGA checklist is available at <https://tinyurl.com/ycx7fwk>.



Aboveground tanks require proper normal and emergency venting. Venting requirements are listed on the tank plate or can be calculated by using the wetted surface area of the tank. Tank appurtenance manufacturers can help with calculating and providing the appropriate normal and emergency vents for both primary and secondary containment.

Anyone who has over 1,320 gallons of petroleum storage or a TIUGA must prepare a Spill Prevention, Control, and Countermeasure (SPCC) plan.

Take a FREE SPCC plan training at <https://tinyurl.com/ybwet7u2>.

Only Rain Down the Drain

Keep washings, oils/chemicals and trash out of storm drains. Storm drains flow directly into local creeks and the San Francisco Bay.

Learn more about preventing water pollution at <https://www.cleanwaterprogram.org/>.

Recycle Waste Tires

ACDEH HMD helps prevent waste tire fires that release cancer-causing chemicals into the air by inspecting businesses that handle waste tires and divert more than 51 million waste tires each year to recycled materials such as sprayable rubberized concrete.

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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