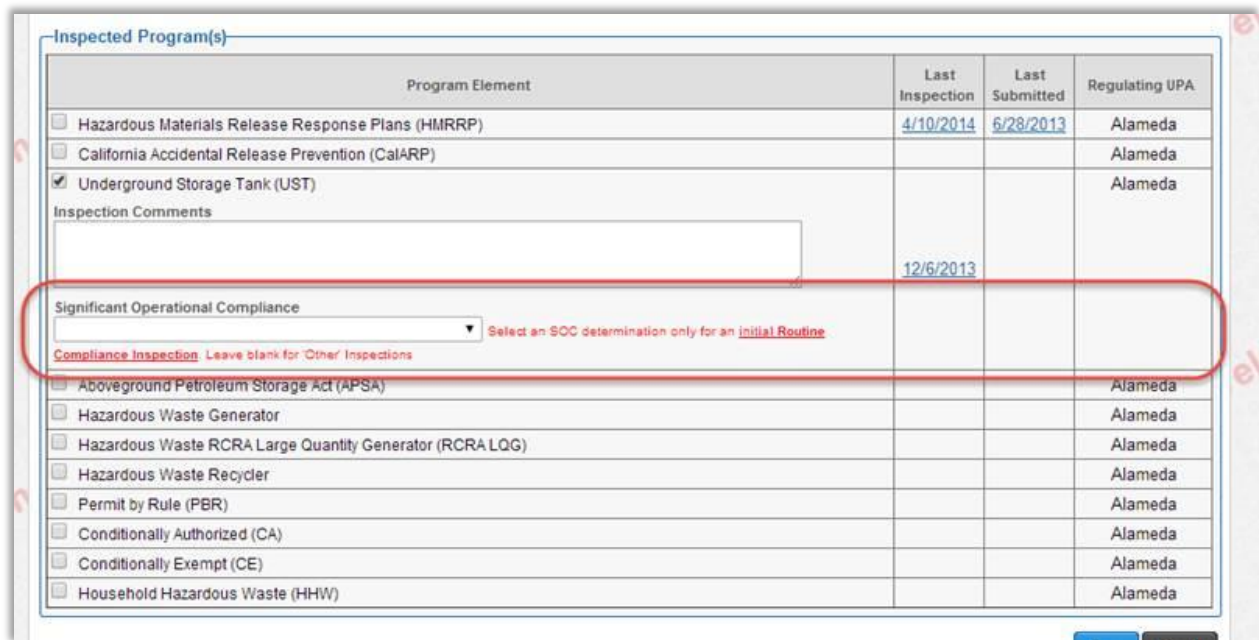


Significant Operational Compliance (SOC) reporting in California Environmental Reporting System (CERS)

CERS users should keep in mind that the SOC determination for an underground storage tank (UST) facility is based on the initial routine compliance inspection. SOC determinations should not be reported for re-inspections or for any type of *other* inspection. If a user is entering or planning to enter Compliance Monitoring and Enforcement (CME) data manually into CERS, they will see a reminder on the 'Create Inspection' screen shown below.



Program Element	Last Inspection	Last Submitted	Regulating UPA
<input type="checkbox"/> Hazardous Materials Release Response Plans (HMRRP)	4/10/2014	6/28/2013	Alameda
<input type="checkbox"/> California Accidental Release Prevention (CalARP)			Alameda
<input checked="" type="checkbox"/> Underground Storage Tank (UST)			Alameda
Inspection Comments	12/6/2013		
Significant Operational Compliance			
Compliance Inspection: Leave blank for 'Other' Inspections Select an SOC determination only for an <u>initial Routine</u>			
<input type="checkbox"/> Aboveground Petroleum Storage Act (APSA)			Alameda
<input type="checkbox"/> Hazardous Waste Generator			Alameda
<input type="checkbox"/> Hazardous Waste RCRA Large Quantity Generator (RCRA LQG)			Alameda
<input type="checkbox"/> Hazardous Waste Recycler			Alameda
<input type="checkbox"/> Permit by Rule (PBR)			Alameda
<input type="checkbox"/> Conditionally Authorized (CA)			Alameda
<input type="checkbox"/> Conditionally Exempt (CE)			Alameda
<input type="checkbox"/> Household Hazardous Waste (HHW)			Alameda

Report 6

US EPA has requested that the State Water Board provide a quarterly report on the status of Certified Unified Program Agencies' (CUPAs) efforts to complete the review and acceptance of UST business data and the submittal of UST related CME data in CERS. A draft report is in preparation that will provide a current baseline. The report will be based on the CUPA's latest Report 6 and data from CERS. The first

regular status report is planned for August 2014 to give CUPAs time to meet the July 30 CME reporting deadline set by CalEPA. CUPAs are requested to review and accept UST business data as quickly as possible. UST related submittals that contain only minor errors or omissions can be accepted with conditions.

Most of the UST-related reports in CERS, including Report 6, are based on business submittal data that has been *accepted* by the CUPA. The reports were intentionally designed this way to ensure that the data in the reports is accurate based on the CUPA's review and acceptance of the data. Submittal information that has a status of *submitted, under review* or *not accepted* is not included in these reports. Once a CUPA has accepted at least one submittal from each of their UST facilities and they have entered correct SOC information in CERS for all routine initial compliance inspections from January 1, 2013 to date, the Report 6 and other UST data can be collected by the State Water Board from CERS and the CUPA will discontinue reporting every six months. Yuba County CUPA is the first to achieve this goal. For more information on this topic, contact Dan Firth at daniel.firth@calepa.ca.gov.

Notice of Violation (NOV) for Abandoned Tanks

As a follow up to the Notices of Non Compliance issued as part of the Abandoned Tank Initiative, the State Water Board UST Program is issuing Notices of Violation (NOVs) to sites that have not yet complied with the abandonment requirements. NOVs started being sent out in May 2014 beginning with San Bernardino County and Fresno County. Prior to sending out the NOVs, current compliance status is confirmed with the Unified Program Agencies.

Abandoned Underground Storage Tank Initiative

Sullivan, US EPA, and the State Water Board are in the process of investigating non-compliant sites with abandoned USTs. The investigation will allow the assessment of any identified risks, such as leaking fuels, and address them to bring the sites into compliance. USTs are considered abandoned when regulated substances are no longer stored within those USTs and/or when monitoring requirements of the Operating Permit and of Title 23, California Health and Safety Code 25298, are not being implemented. (*Abandoned Underground Storage Tank Initiative Report, April 2013*)

The Abandoned Underground Storage Tank Initiative continues to progress. The following tables and graph summarize general information regarding the Abandoned Tank Initiative.

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Abandoned UST Site Status in GeoTracker	# of Sites	% of Total Sites
<i>Out of Compliance</i>	206	61.10%
Out of Compliance - USTs with Product	41	12.20%
Out of Compliance - USTs without Product	45	13.40%
Out of Compliance - USTs with Unknown Product	104	30.90%
Out of Compliance - Managed Under LUST Case	7	2.10%
Unknown - Further Research Needed (Presence of USTs suspected but not confirmed)	9	2.70%
<i>In Compliance</i>	131	38.90%
In Compliance - USTs Removed	33	9.80%
In Compliance - USTs in Service	26	7.70%
In Compliance - USTs Closed in Place	2	0.60%
In Compliance - Temporary Closure	10	3.00%
USTs Closed or Removed Historically	38	11.30%
No Evidence of USTs Ever Present	22	6.50%
<u>Total</u>	<u>337</u>	<u>100%</u>

Current Site Strategy	# of Sites	% of Total Sites
State Water Board Lead	159	47.20%
Notice of Non-Compliance (NONC) - 60 days has not passed or CUPA has not confirmed compliance status	100	29.70%
Notices of Violation (NOV) - Received NONC and still out of compliance after 60 days (confirmed by CUPA)	59	17.50%
Local Oversight	8	2.40%
Local Enforcement	13	3.90%
File Review/ Research Needed to Determine Approach*	16	4.70%
No Work Currently Needed**	141	41.80%
<u>Total</u>	<u>337</u>	<u>100%</u>

Note: There were originally 323 Abandoned UST sites reported by the UPAs. Fourteen (14) additional sites were reported after the initial Abandoned UST Inventory was created in April 2013.

*Includes sites which have GeoTracker cases, sites with complicated ownership issues, and sites for which USTs are suspected but not confirmed. No further work may need to be conducted.

**Includes sites in the process of coming into compliance.

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Notice of Non-Compliance (NONC) Strategy (for 172 Sites)	# of Sites	% of Sites to Receive NONC
State Water Board initial NONCs issued week ending 05/18/14	0	0.00%
State Water Board initial NONCs issued since 7/23/13 (52 NONCs reissued to alternative addresses)	172	100.00%
Total	172	100%

Responses to NONCs	# of Sites	% of Sites Issued NONC
Responses received	104	60.50%
Compliance obtained	13	7.60%
Owners stating they plan to comply	41	23.80%
Owners claiming no USTs present or closed in place	11	6.40%
Owners claiming financial hardship	34	19.80%
Dispute/ Owner claiming not responsible	5	2.90%
No responses received	68	39.50%
No good address found	16	9.30%
NONC delivered - Return receipt signed	49	28.50%
Delivery status unknown - in transit	3	1.70%

Notice of Violation (NOV) Strategy (for 59 Sites)	# of Sites	% of Sites to Receive NOV
State Water Board initial NOVs issued week ending 05/18/14	12	20.30%
State Water Board initial NOVs issued since 5/9/2014	22	37.30%
Total	22	37.30%

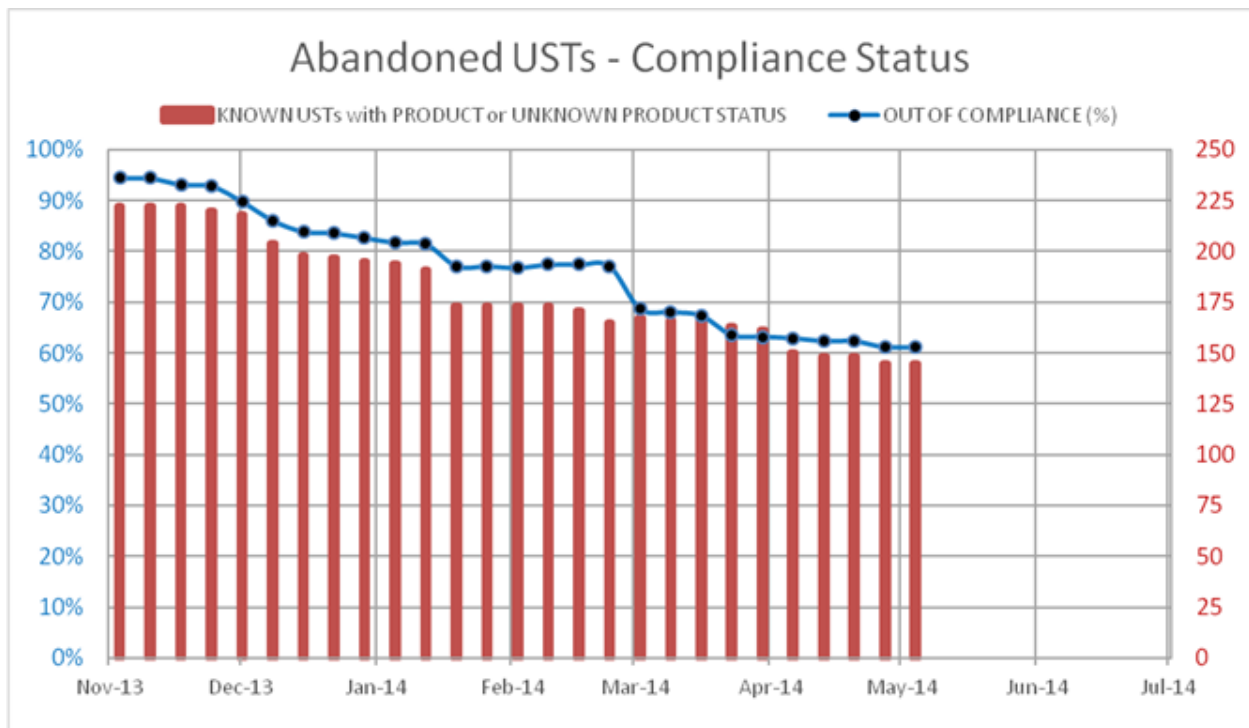
Responses to NOVs	# of Sites	% of Sites Issued NOV
Responses received	1	4.50%
Compliance obtained	0	0.00%
Owners stating they plan to comply	0	0.00%
Owners claiming no USTs present or closed in place	0	0.00%
Owners claiming financial hardship and Right-of-Entry signed	1	4.50%
Dispute/ Owner claiming not responsible	0	0.00%
No responses received	21	95.50%
NOV returned	0	0.00%
NOV delivered - Return receipt signed	4	18.20%
Delivery status unknown - in transit	17	77.30%

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Assistance Provided to Owners and/or Agencies	Cumulative # of Sites	% of Total Sites
At least one type of assistance provided	34	10.10%
Site inspection, geophysical survey, and tank gauging conducted	5	1.50%
Administrative/technical guidance*	34	10.10%
Facilitated entry into funding program (USEPA Brownfields and LUST Trust Fund)	4	1.20%
Product removed from USTs	0	0.00%
Fieldwork conducted (environmental data collected)	1	0.30%
No assistance provided	303	89.90%
Total	337	100%

Note: One site can receive more than one type of assistance, so there is overlap in the subcategories of assistance provided.

*Administrative/technical guidance includes explaining regulatory requirements to owners; screening sites for funding program eligibility; coordinating with local agencies to provide them with site information, funding program options for specific sites, and tools (e.g. Ability to Pay Form, Owner Interview Questionnaire)



Compliance status of abandoned USTs since November 2013