

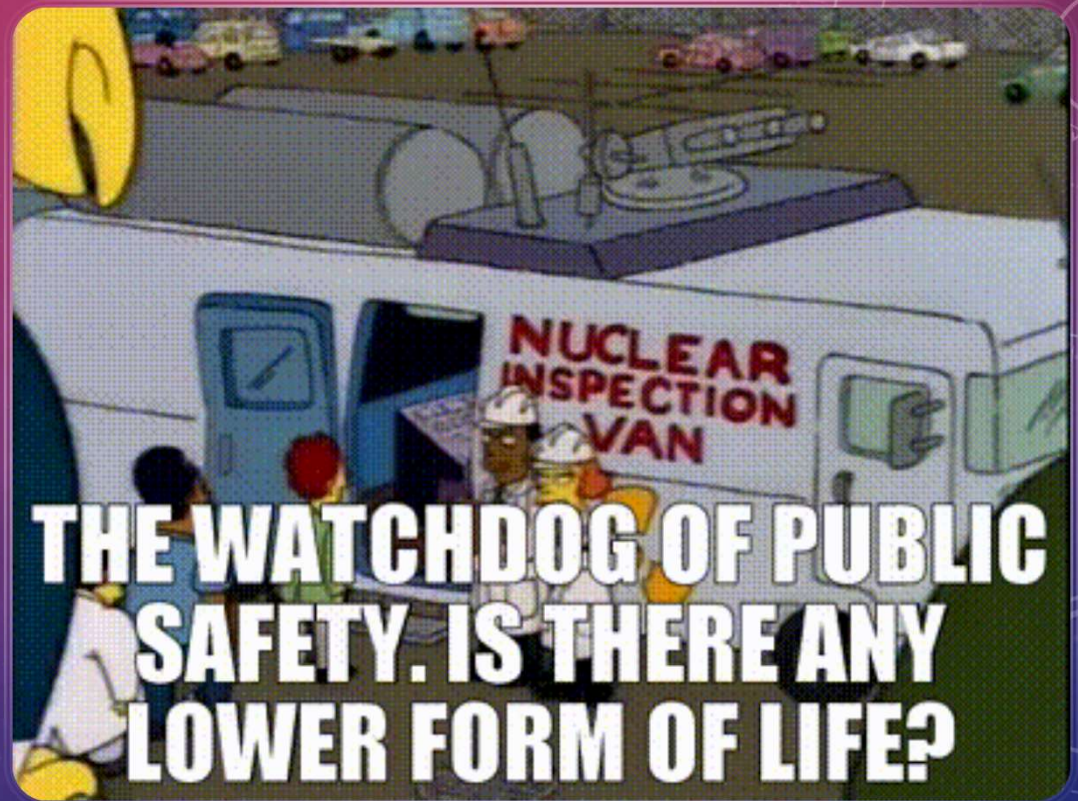
The background is a dark blue gradient. On the left side, there is a large, semi-circular scale with tick marks and numbers ranging from 140 to 260. Overlaid on this and the rest of the background are several faint, light blue circular patterns, some with arrows indicating a clockwise direction, resembling technical or scientific diagrams.

LAUREL SOUZA AND RESHAM SANDHU

CUPA 101 AND COMMON VIOLATIONS

AGENDA

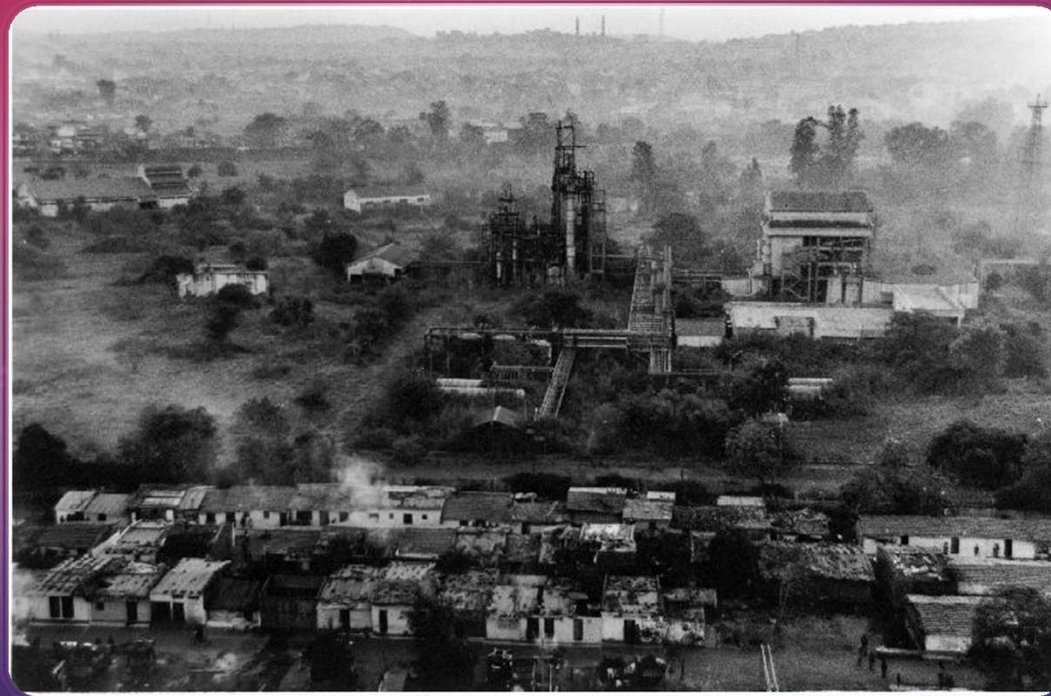
- CUPA Programs
- Common violations
- Questions/discussion



CUPA PROGRAMS

- Hazardous Materials Business Plan (HMBP)
 - Hazardous Waste Generator (HWG)
- Aboveground Petroleum Storage Act (APSA)
 - Underground Storage Tank (UST)
- California Accidental Release Prevention Program (CalARP)

HMBP – BHOPAL INDIA



Reflections on Bhopal After Thirty Years

HMBP OVERVIEW

- Hazardous Materials Business Plan (HMBP)
- Regulates hazardous materials and hazardous wastes in reportable quantities
- 55 gallons/200 cubic feet/500 pounds
- Need to:
 - Submit the business plan into the California Environmental Reporting System (CERS)
 - Conduct training annually
 - Subject to triennial inspections

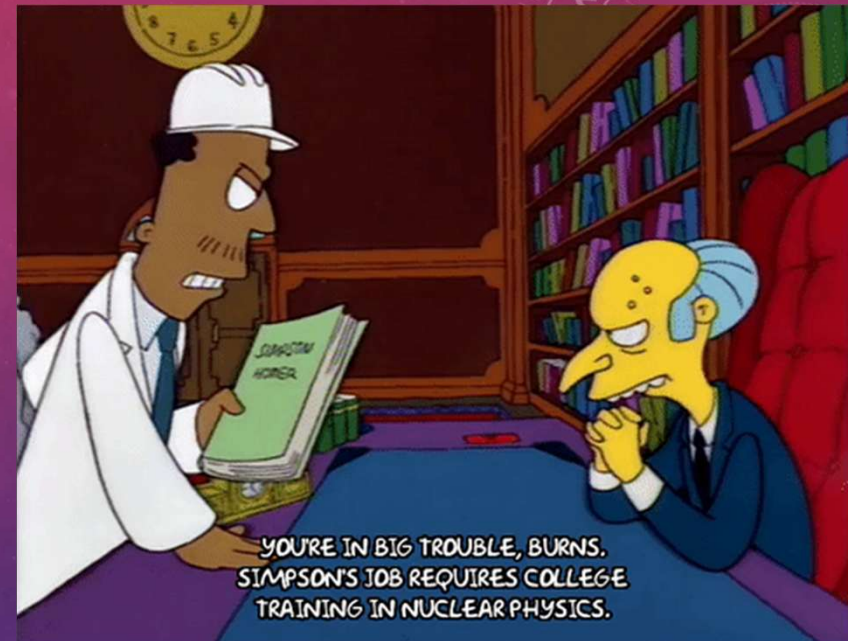




COMMON HMBP VIOLATIONS

1: TRAINING

- Needs to occur and **annually occur**
- Training at minimum includes
 - 1. Emergency evacuation → all employees
 - 2. Hazards associated with the chemicals stored on site (SDS training, hazcomm, etc.) → for employees dealing with hazardous materials and hazardous waste
- Keep all records for 3 years
- How to avoid violation:
 - 1. Conduct training annually
 - 2. Maintain records for 3 years either via paper or electronic format
 - Make sure you know how to access employee records prior to us arriving on site if doing it digitally



2: INVENTORY

- 30 days to add new inventory or update inventory on site
- How to avoid violation:
 - 1. Walk around facility and take inventory monthly
 - 2. Coordinate with product purchasing/acquisition
 - 3. Update inventory in CERS
 - CERS is a living document, must be updated within 30 days of any inventory changes



3: ANNUAL CERTIFICATION

- Submit or certify annually
- Submit into CERS if your facility:
 - 1. A part of APSA
 - 2. Have extremely hazardous substances (EHS) in a certain amounts
- Certify if your facility:
 - Not in APSA/no EHS threshold (40 CFR Part 355 Appendix A & B)
 - Has no changes to inventory and personnel



Certify or submit by March 1st annually
(T-minus 5 days)



FUTURE HMBP COMMON VIOLATIONS

Consumer products

- Storing product at reportable threshold
- NFPA or HMIS rating of 3 or 4 has higher threshold

Reporting timeframe

- Submit or certify by March 1st annually

Sale or Provision Records

- Record of sale for quantities of 165 gallons, 600 cubic feet, or 1,500 pounds

HWG – LOVE CANAL



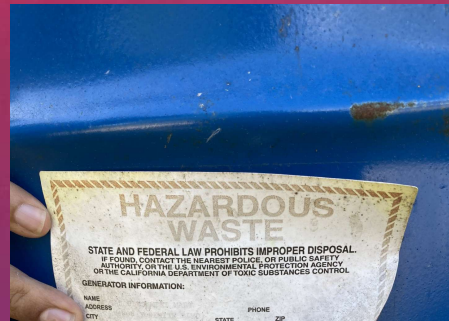
[The Love Canal Tragedy – The Toxic Legacy That Changed America - YouTube](#)

HWG OVERVIEW

- **Any** amount of hazardous waste
 - No threshold
- 3 tiers
 - Very Small Quantity Generator (VSQG)
 - Generating less than 200 lbs/month
 - Small Quantity Generator (SQG)
 - Generating 200 lbs-2,200 lbs/month
 - Large Quantity Generator (LQG)
 - Generating more than 2,200 lbs/month*
- “Cradle to grave”



WHAT DO YOU THINK THE PROBLEMS ARE HERE?



COMMON HWG VIOLATIONS

NUMBER ONE: LABELING

- 1. Hazardous Waste
- 2. Composition and physical state of wastes
- 3. Indication of the hazards
 - Ignitable, corrosive, reactive, toxic
- 4. Name and address of facility
- 5. Start accumulation date
- 6. Accumulation period
 - VSQG→ 180 days after 27 gallons generated
 - SQG→180 days
 - LQG→90 days
- How to avoid violation:
 - 1. Do weekly hazardous waste walkthrough
 - 2. When pickup occurs verify that the label is correct

HAZARDOUS WASTE

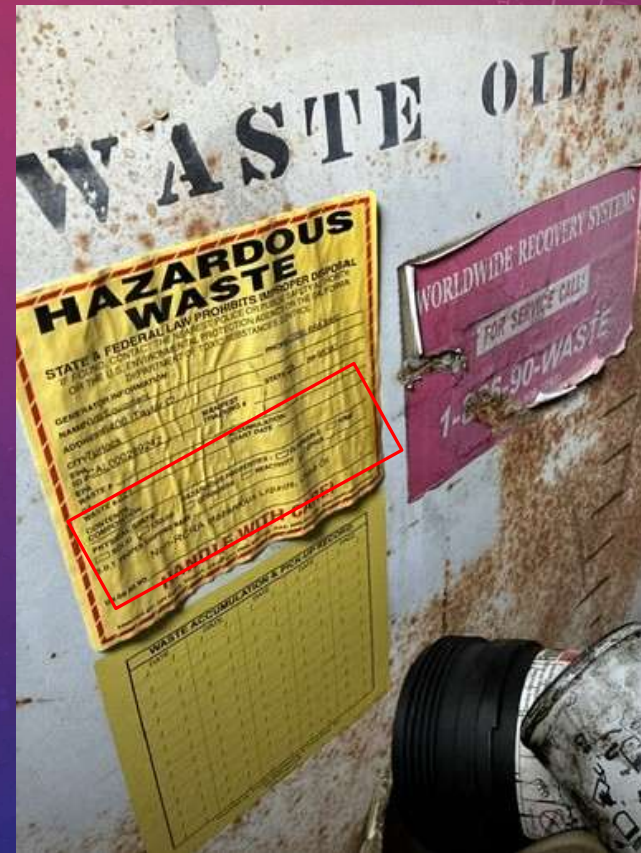
FEDERAL LAW PROHIBITS IMPROPER DISPOSAL
IF FOUND CONTACT THE NEAREST POLICE OR PUBLIC SAFETY
AUTHORITY OR THE U.S. ENVIRONMENTAL PROTECTION AGENCY

GENERATOR INFORMATION:
NAME _____
ADDRESS _____ PHONE _____
CITY _____ STATE _____ ZIP _____
EPA / MANIFEST
ID NO. / DOCUMENT NO. _____
ACCUMULATION
START DATE _____ WASTE NO. _____

D.O.T. PROPER SHIPPING NAME AND UN OR NA NO. WITH PREFIX

HANDLE WITH CARE!

WHAT'S MISSING?



NUMBER TWO: EPA ID

- eVQ annually
 - DTSC is here to assist
- DTSC 1358 Form



Annual eVQ due March 31st



NUMBER THREE: 180-DAY ACCUMULATION TIME

- For **EACH** waste stream individually
- SQG—strict 180-day accumulation timeframe
 - Doesn't matter how full or empty container is
- VSQG—180 disposal timeframe after 27 gallons generated
- LQG—90 day accumulation timeframe
- How to avoid:
 1. Verify accumulation period on label
 2. Keep eye on hazardous waste inventory
 - LQG tank inventory logs



FUTURE HWG VIOLATIONS



RCRA LQG and RCRA SQG renotification

- Use EPA 8700-12

HW Tank Inventory logs

- Demonstrate that hazardous waste has been emptied within 180 days or 90 days

Quick Reference Guide

- All LQGs need to fill out form, reach out to CUPA inspector for form or scan the QR code on the left

Make arrangements/attempt to make arrangements with emergency response

- Show documentation

APSA OVERVIEW

- Facility that:
 - 1. Storing 1,320-gallons of petroleum products in 55-gallons drums or greater
 - 2. Storing petroleum products in a Tank In An Underground Area (TIUGA)
- Spill Prevention Control and Countermeasure (SPCC) Plan
 - 10K or more → need PE Plan
 - 10K or less → fill out template



NUMBER ONE: SPILL PREVENTION BRIEFINGS

- Need to be conducted annually
- For oil-handling personnel
- How to prevent violation:
 1. Conduct spill prevention briefings annually
 2. Oil personnel should be familiar with SPCC Plan and its contents



NUMBER TWO: INSPECTIONS

- Need to conduct monthly and annual inspections per STI or API
- Need to conduct tank integrity inspections per SPCC Plan
 - Plan needs to specify inspection frequency
- Keep all inspection records for 3 years
- How to avoid violation:
 1. Know where your records are (e.g. binder, file, etc.)
 2. Train personnel on the parts of a tank
 3. Use the forms included in the SPCC Plan





NUMBER THREE: OVERFILL PREVENTION

- Overfill prevention methods not described well in plan
- How to avoid violation:
- 1. Make sure PE knows the exact way that you verify the overfill
 - We have the authority to cite a facility for any difference in a SPCC Plan
- 2. Follow what is in your plan
 - Test the operability of your equipment frequently

WHAT KIND OF TANK DO YOU HAVE AT YOUR FACILITY ?

- UL 58
- UI 142
- UI 1746
- UL 2085





FUTURE APSA VIOLATIONS

Using a UST as an AST

- Now both a fire code and APSA regulation issue-
“WHAT THE UL IS GOING ON HERE?”

Inspections at less than 10K facilities

- Locate SPCC Plan- Now what?
- Conduct training- Why?
- Do 5-year review- Who?

Annual Certification

- Annual APSA Submittal is codified-What This means for you?

UST OVERVIEW

- Underground Storage Tank (UST) Program
- Annual inspection
- Annual testing now called Release Detection Equipment Testing
- New set of regulations effective as of 1/1/2026





FUTURE UST VIOLATIONS

Monitoring requirements

- Updated site plan requirements –Scale, Zone and Locations
- Unstaffed facility Leak detected must stop flow of product
- Buried pressurized piping
 - LLD for all non VPH sites
 - No Fail Safe LLD can perform line test at 150% and .1gph
 - Continuous monitoring no LLD required

New testing requirements

- 72 Hour notice
- Eld results 30 days
- Testing hierarchy out
- Updated forms (on water board site)
- Continuity on all secondary containment components

System requirement changes

- Labeling in the tank
- Continuity testing from manufacture
- Deadman in 2027
- Steel piping SCH 40
- Double wall direct bury fill sumps
- Float and Chains needing repairs replaced

SUMMARY

- If it isn't documented it didn't happen
 - Document and organize compliance
 - Know where docs are at
- Walk through facility
 - Inventory
 - Hazardous waste accumulation area
- Read through SPCC Plan
- Read through inspection reports for corrective actions



THANK YOU!

