

Certified Unified Program Agency (CUPA)

CONSOLIDATED PERMIT PLAN



Health & Human Services Agency

Division of Environmental Health Services

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Chapter 1

INTRODUCTION

As a Certified Unified Program Agency (CUPA), the Tulare County Division of Environmental Health Services (TCDEHS) is responsible for permitting activities associated with the following program elements:

- Hazardous Materials Business Plans (HMP). Authority: California Health & Safety Code (HSC), Chapter 6.95, Article 1 and Title 19 California Code of Regulations (CCR) Chapter 4.
- Underground Storage Tank (UST) Program. Authority: HSC, Chapter 6.7 and Title 23 CCR, Division 3, Chapters 16 & 17.
- Hazardous Waste Generator Program. Authority: HSC, Chapter 6.5 and Title 22 CCR Division 4.5.
- Tiered Permitting of Hazardous Waste On-Site Treatment. Authority: HSC, Chapter 6.5, Title 22 CCR Division 4.5.
- Aboveground Petroleum Storage Act (APSA) Program. Authority: HSC, Chapter 6.67.
- California Accidental Release Prevention (CalARP) Program Authority: HSC Chapter 6.95, Article 2, Title 19 CCR Chapter 4.5.

Senate Bill 1082 (*HSC, Chapter 6.11, §25404 et. seq.*) created the Unified Program and required each CUPA to develop an Inspection and Enforcement Plan. This Plan satisfies this requirement and has been developed to ensure the implementation of coordinated, efficient and effective inspection and enforcement procedures regarding the handling of hazardous materials/waste.

Chapter 2

INSPECTIONS

I. GENERAL INFORMATION

The TCDEHS is responsible for issuing of permits and authorizations and receiving notifications for facilities regulated within the CUPA programs listed previously. For the purpose of workload distribution, Tulare County has been divided into districts that incorporate one or more zip codes. TCDEHS personnel are each responsible for facilities located in specific assigned district(s).

The Consolidated Permit Plan provides a coordinated and consolidated process for Unified Program permits, authorizations, and notifications. The CUPA shall consolidate the permits issued under the Unified Program utilizing the Unified Program Facility Permit according to the Consolidated Permit Plan.

II. SINGLE POINT OF LOCAL CONTACT

The Consolidated Permit Plan provides a single point of local contact for permit applicants to obtain information on the requirements and application process for Unified Program permits, authorizations, and notifications. The single point of local contact for Tulare County is:

Tulare County Division of Environmental Health Services
5957 S. Mooney Blvd.
Visalia, CA 93277
Telephone: (559) 624-7400
Facsimile: (559) 733-6932

A single point of contact for referrals to appropriate participating agencies is not applicable because there are no participating agencies within the jurisdiction of Tulare County.

III. CONSOLIDATED PERMIT APPLICATION PACKAGE

The Consolidated Permit Application consists of multiple forms arranged into a single package with a cover sheet describing the various CUPA program requirements. The cover sheet allows the applicant to determine which activities require Unified Program permits, authorizations, or notifications. Duplicate information between different forms is required only as necessary to provide for form tracking. For Unified Program element and activities where it is applicable, the Unified Program Consolidated Form will be utilized to collect the required permit application information. The applicant may access all required forms and information on the CUPA website at www.tularehhsa.org. Alternatively, the required forms and information will be mailed or sent electronically to the applicant upon request. The cover sheet describing the various Unified Program requirements and individual permit applications for each Unified Program element and activity are attached.

IV. SYSTEM TO DEFINE PERMIT REQUIREMENTS

The system used to define permit requirements for the various Unified Program elements is provided below.

V. TIMELY REVIEW AND DECISION PRACTICES ON CONSOLIDATED PERMITS

If the application is submitted in person, the CUPA inspector or supervisor shall preliminarily review the application for completeness and the applicant informed of any deficiencies before fees are paid. If submitted by mail or facsimile, the CUPA inspector shall expeditiously perform the preliminary review for completeness and inform the applicant by telephone of any deficiencies. Upon payment of any appropriate fees, a receipt is issued to the applicant in person or by mail.

Technical reviews of permit applications, authorizations, and notifications are conducted by the CUPA inspectors or supervisor. If the applicant requests expedited review of the application, or disagrees with any condition of approval imposed by the inspector, the CUPA Supervisor shall be informed. The CUPA Supervisor shall act to ensure the timely issuance of the permit and to resolve disputes.

The application and plans are submitted to the appropriate CUPA inspector and logged in a dedicated binder to allow tracking. The file, application, and plans are placed in a dedicated “pending” file. The CUPA inspector responsible for the facility shall conduct the review of the application. Should the inspector have any questions regarding the application; the applicant shall be contacted by telephone to obtain the necessary information. If in compliance with applicable requirements and applicable fees and surcharges are paid, the application shall be approved and a permit generated and signed by the inspector. CUPA staff shall complete review of notifications and permit application within the time periods listed.

VI. ISSUANCE OF PERMITS

Upon approval of a permit application, or request for authorization, a permit or authorization is issued to the owner, operator, or designated contact. The signed permit is issued in person or mailed and a copy is placed in the facility file. Upon receipt of a notification, a letter shall be issued to the owner, operator, or designated contact acknowledging receipt.

The Unified Program facility permit is valid for a period of one year. Invoices for annual CUPA single fees surcharges are mailed to the owner or operator two months prior to the permit expiration date. Facility and underground storage tank permits are not printed until applicable fees and surcharges are paid. Permits are reviewed by the CUPA inspector responsible for the facility and signed if the facility is in compliance with all applicable requirements. The signed permit is mailed to the facility owner or operator of record and a copy is placed in the facility file.

For underground storage tank facilities, annual inspections are scheduled one month prior to the permit anniversary date. A permit to operate the underground storage tanks will not be issued to a facility unless it is in compliance with the requirements of Chapter 6.7 and 6.75 of the Health and Safety Code. For all other Unified Program elements, compliance inspections regulated facilities shall be conducted at the frequencies stated in the Inspection and Enforcement Plan. Each facility will be evaluated for compliance with all conditions of the consolidated permit.

With the exception of an Underground Storage Tank Permit to Operate, Unified Program facility permits are not transferable to a new owner or operator. A permit application and all required information must be submitted to Environmental Health when there is a change of ownership.

If it becomes necessary to modify an existing permit prior to its expiration date, the applicant must complete the forms that apply to the program element(s) being modified, and submit them to the CUPA for review. If all documentation is in order, a modified permit is issued to the applicant. If incomplete, the applicant is notified of material needed to complete the application or the application is returned to the applicant for revision. Permit modification does not include change of ownership.

Any portion of an operating permit issued by the CUPA may be revoked for continued non-compliance with the conditions under which it was issued.

VII.EVALUATION OF PERMITTING PROCESS

The CUPA Supervisor shall be responsible for ongoing evaluation of the Consolidated Permit Plan. The evaluation shall include review of the coordination; consolidation and consistency of the Unified Program permit process. Changes in regulatory requirements that necessitate revisions of permit requirements shall be identified. CUPA staff and consumers shall provide input as to whether permit application instructions have proven to be inadequate or confusing. Information obtained through the permit Evaluation process shall be considered and used in modifying the Consolidated Permit Plan when appropriate.

VIII. CONSOLIDATED PERMIT PROGRAM PLAN

A list of the types of permits and authorizations that will be consolidated, application procedures, and protocols for processing permits within the Unified Program are as follows:

1. HSC Div. 20 Ch. 6.5 & 22 CCR Division 4.5 applicable to all of the following:

A. Hazardous Waste Generator

If also subject to the Business Plan Program:

- A Unified Program Facility permit shall be issued within 30 working days after submission of the following submittal elements required under HSC Sections 25505 to the Statewide Information Management System; providing that the submission is deemed complete by the CUPA inspector, and payment of the fee and surcharge provided for in Health and Safety Code Sections 25513 and 25404.5, and Title 22 California Code of Regulations Sections 15210 and 15250.
 - ◆ Facility Information
 - ◆ Hazardous Materials Inventory
 - ◆ Emergency Response and Training Plans

If not also subject to the Business Plan Program

- A Unified Program Facility permit shall be issued within 30 working days after submission of the following submittal elements to the Statewide Information Management System; providing that the submission is deemed complete by the CUPA inspector, and payment of the fee and surcharge provided for in Health and Safety Code Section 25404.5, and Title 22 California Code of Regulations Sections 15210 and 15250:
 - ◆ Facility Information

B. Conditional Exemption - Small Quantity Treatment (CESQT)

- Not less than 60 days before commencing treatment of hazardous waste pursuant to HSC Section 25201.5(a), the generator shall submit the following submittal elements to the Statewide Information Management System:
 - ◆ Facility Information
 - ◆ Hazardous Materials Inventory
 - ◆ Emergency Response and Training Plans
 - ◆ Tiered Permitting, consisting of the following pages:
 - Tiered Permitting: Facility
 - Tiered Permitting: Unit
 - Tiered Permitting Unit: Financial Assurance Certification
- Upon submission of the above submittal elements to the Statewide Information Management System, the person shall be deemed to be operating pursuant to CESQT authorization provided that:
 - ◆ The notification is deemed complete by the CUPA inspector,
 - ◆ Payment of the fee and surcharge provided for in HSC Section 25404.5, and 22 CCR Sections 15210 and 15250

- Within 30 days of any change in operation which necessitates modifying any of the information submitted in the notification required pursuant to HSC Section 25201.5(d)(7), a generator shall submit amended submittal elements to the Statewide Information Management System.
- The person shall be deemed to be operating pursuant to CESQT authorization according to HSC Section 25201.5(j) until that person submits a certification that the generator has ceased all treatment activities of hazardous waste streams authorized pursuant to this section in accordance with the requirements of HSC Section 25201.5(d)(8).

C. Conditionally Exempt – Specified Wastestreams (CESW)

- Not less than 60 days before commencing treatment of hazardous waste pursuant to HSC Section 25201.5(c), the generator shall submit the same submittal elements to the Statewide Information Management System as those required for CESQT.
- Upon submission of the above submittal elements to the Statewide Information Management System, the person shall be deemed to be operating pursuant to CESQT authorization provided that:
 - ◆ The notification is deemed complete by the CUPA inspector,
 - ◆ Payment of the fee and surcharge provided for in HSC Section 25404.5, and 22 CCR Sections 15210 and 15250
- Within 30 days of any change in operation which necessitates modifying any of the information submitted in the notification required pursuant to HSC Section 25201.5(d)(7), a generator shall submit amended submittal elements to the Statewide Information Management System.
- The person shall be deemed to be operating pursuant to CESW authorization according to HSC Section 25201.5(j) until that person submits a certification that the generator has ceased all treatment activities of hazardous waste streams authorized pursuant to this section in accordance with the requirements of HSC Section 25201.5(d)(8).

D. Conditionally Exempt – Limited

- Not less than 60 days before commencing treatment of hazardous waste pursuant to HSC Section 25201.14, the generator shall submit the same submittal elements to the Statewide Information Management System as those required for CESQT.
- Upon submission of the above submittal elements to the Statewide Information Management System, the person shall be deemed to be operating pursuant to CESQT authorization provided that:
 - ◆ The notification is deemed complete by the CUPA inspector,
 - ◆ Payment of the fee and surcharge provided for in HSC Section 25404.5, and 22 CCR Sections 15210 and 15250

- Within 30 days of any change in operation which necessitates modifying any of the information submitted in the notification required pursuant to HSC Section 25201.5(d)(7), a generator shall submit amended submittal elements to the Statewide Information Management System.
- The person shall be deemed to be operating pursuant to CEL authorization according to HSC Section 25201.5(j) until that person submits a certification that the generator has ceased all treatment activities of hazardous waste streams authorized pursuant to this section in accordance with the requirements of HSC Section 25201.5(d)(8).

E. Conditionally Exempt – Commercial Laundry

- Not less than 60 days before commencing treatment of hazardous waste pursuant to HSC Section 25144.6(c), the generator shall submit the same submittal elements to the Statewide Information Management System as those required for CESQT.
- Upon submission of the above submittal elements to the Statewide Information Management System, the person shall be deemed to be operating pursuant to CESQT authorization provided that:
 - ◆ The notification is deemed complete by the CUPA inspector,
 - ◆ Payment of the fee and surcharge provided for in HSC Section 25404.5, and 22 CCR Sections 15210 and 15250
- Within 30 days of any change in operation which necessitates modifying any of the information submitted in the notification required pursuant to HSC Section 25201.5(d)(7), a generator shall submit amended submittal elements to the Statewide Information Management System.
- The person shall be deemed to be operating pursuant to CEL authorization according to HSC Section 25201.5(j) until that person submits a certification that the generator has ceased all treatment activities of hazardous waste streams authorized pursuant to this section in accordance with the requirements of HSC Section 25201.5(d)(8).

F. Conditional Authorization (CA)

- Not less than 60 days before commencing treatment of hazardous waste pursuant to HSC Section 25200.3, the generator shall submit the same submittal elements to the Statewide Information Management System as those required for CESQT with the addition of the following:
 - ◆ Certification Of Financial Assurance Page.
 - ◆ The requirements of 22 CCR Section 67450.2(b)(3) including:
 - o Written Closure Cost Estimate (67450.13(a)(1))
- Upon submission of the above notification to the CUPA, the person shall be deemed to be operating pursuant to CA authorization provided that:
 - ◆ The notification is deemed complete by the CUPA inspector,
 - ◆ Payment of the fee and surcharge provided for in HSC Section 25404.5, and 22 CCR Sections 15210 and 15250

- A Tiered Permitting Phase I Environmental Assessment Checklist (DTSC Form 1151) must be submitted pursuant to HSC Section 25200.14(b)(1) to DTSC and the CUPA within one year of initial authorization.
- A generator operating pursuant to Conditional Authorization shall adjust the closure cost estimate for inflation by March 1 of each year. The adjustment shall be made as specified in 22 CCR Sections 67450.13(a)(2)(A) and (B), using an inflation factor derived from the annual Implicit Price Deflator for Gross National Product as published by the U.S. Department of Commerce in its Survey of Current Business. The inflation factor is the result of dividing the latest published annual Deflator by the Deflator of the previous year.
 - ◆ The first adjustment is made by multiplying the closure cost estimate by the inflation factor. The result is the adjusted closure cost estimate.
 - ◆ Subsequent adjustments are made by multiplying the latest adjusted closure cost estimate by the latest inflation factor.
- A generator operating pursuant to a grant of Conditional Authorization shall revise the closure cost estimate pursuant to 22 CCR Section 67450.13(a)(4) whenever a change occurs that increases the cost of closure. The revised closure cost estimate shall be adjusted for inflation as specified in 22 CCR Section 67450.13(a)(2). The owner or operator shall maintain the following at the facility during the operating life of the facility: the latest closure cost estimate prepared in accordance with 22 CCR Section 67450.13(a)(1) of this section, and the latest closure cost estimate adjusted in accordance with 22 CCR Section 67450.13(a)(2).
- Within 30 days of any change in operation which necessitates modifying any of the information submitted in the notification required pursuant to HSC Section 25200.3(e), a generator shall submit an amended notification pursuant to HSC Section 25200.3(k) to the CUPA, in person or by certified mail, with return receipt requested.
- The person shall be deemed to be operating pursuant to CA authorization according to HSC Section 25200.3(l) until that person submits a certification that the generator has ceased all treatment activities of hazardous waste streams authorized pursuant to this section in accordance with the requirements of HSC Section 25200.3(g).

G. Permit By Rule (PBR)

- Not less than 60 days before commencing treatment of hazardous waste pursuant to 22 CCR 67450.2(b), the Fixed Treatment Unit (FTU) owner or operator shall submit a the generator shall submit the same submittal elements and pages to the Statewide Information Management System as those required for CA with the addition of the following:
 - ◆ The requirements of 22 CCR Section 67450.2(b)(3) including:
 - Written Closure Cost Estimate (67450.13(a)(1))
 - Plot Plan Section (67450.2(b)(3)(B))
 - Written Closure Plan (67450.2(c)(3)(11))

- Within forty-five days (45) calendar days of receipt of the above notification, the CUPA shall acknowledge, in writing, receipt of the notification. The CUPA shall, in conjunction with the acknowledgement, either:
 - ◆ Authorize operation of the FTU subject to the requirements and conditions specified in sections 67450.3, 67450.7, 67450.9(b), and 67450(c); or
 - ◆ Deny authorization under a permit by rule pursuant to section 67450.9(a), or notify the owner or operator that the notification is incomplete or inaccurate.
 - If the notification is incomplete, the CUPA shall specify what additional information or correction is required.
- The CUPA shall authorize or deny authorization to operate under the specified sections within forty-five (45) days of receipt of the requested information or corrected notification.
- The CUPA shall reject the notification if the information is not provided within ten (10) days of receipt of the acknowledgement. Upon showing of good cause, the CUPA shall grant the owner or operator additional time to provide the requested information or correction.
- An owner or operator whose notification is rejected may submit a new initial notification.
- A Tiered Permitting Phase I Environmental Assessment Checklist (DTSC Form 1151) must be submitted pursuant to HSC Section 25200.14(a) to DTSC and the CUPA within one year of initial authorization.
- An FTU owner or operator shall adjust the closure cost estimate for inflation by March 1 of each year. The adjustment shall be made as specified in 22 CCR Sections 67450.13(a)(2)(A) and (B), using an inflation factor derived from the annual Implicit Price Deflator for Gross National Product as published by the U.S. Department of Commerce in its Survey of Current Business. The inflation factor is the result of dividing the latest published annual Deflator by the Deflator of the previous year.
 - ◆ The first adjustment is made by multiplying the closure cost estimate by the inflation factor. The result is the adjusted closure cost estimate.
 - ◆ Subsequent adjustments are made by multiplying the latest adjusted closure cost estimate by the latest inflation factor.
- An FTU owner or operator shall revise the closure cost estimate pursuant to 22 CCR Section 67450.13(a)(3) whenever a change occurs that increases the cost of closure. The revised closure cost estimate shall be adjusted for inflation as specified in 22 CCR Section 67450.13(a)(2). The owner or operator shall maintain the following at the facility during the operating life of the facility: the latest closure cost estimate prepared in accordance with 22 CCR Section 67450.13(a)(1) of this section, and the latest closure cost estimate adjusted in accordance with 22 CCR Section 67450.13(a)(2).

- Within 30 days of any change in operation which necessitates modifying any of the information submitted in the notification required pursuant to HSC Section 25200.3(e), a FTU owner or operator shall submit an amended notification pursuant to HSC Section 25200.3(k) to the CUPA, in person or by certified mail, with return receipt requested.
- The person shall be deemed to be operating pursuant to CA authorization according to HSC Section 25200.3(l) until that person submits a certification that the generator has ceased all treatment activities of hazardous waste streams authorized pursuant to this section in accordance with the requirements of HSC Section 25200.3(g).
- The owner or operator of an FTU that treats hazardous waste shall be deemed to have a permit when the owner or operator complies with 22 CCR Section 67450.2 subsections (b)(1), if applicable, (b)(2), (b)(3), and (b)(5), and receives an acknowledgement from the CUPA authorizing operation of the FTU pursuant to (b)(4).

H. Persons Managing Perchlorate Materials

- On and after the effective date of the regulations adopted by DTSC pursuant to HSC Section 25210.6, a person may not manage perchlorate materials unless the management complies with the best management practices specified in the regulations adopted by the department.
- The CUPA shall incorporate the provisions of HSC Division 20 Chapter 6.5 Article 10.01 and the implementing regulations concerning perchlorate materials into the Business Plan and Hazardous Waste Generator elements of the Unified Program.

I. Certified Appliance Recyclers

- On and after July 1, 2005, a person wishing to operate as a certified appliance recycler shall submit an application to DTSC and obtain certification from DTSC pursuant to HSC Section 25211.4.
- The CUPA shall incorporate the provisions of HSC Division 20 Chapter 6.5 Article 10.1 and the implementing regulations concerning perchlorate materials into the Business Plan and Hazardous Waste Generator elements of the Unified Program.

J. Recyclers (Excluded Recycled Materials)

- Acknowledgement of notifications required pursuant to HSC Section 25143.10 shall be issued within 30 working days after submission of the following submittal elements to the Statewide Information Management System; providing that the submission is deemed complete by the CUPA inspector, and payment of the fee and surcharge provided for in Health and Safety Code Section 25404.5, and Title 22 California Code of Regulations Sections 15210 and 15250:
 - ◆ Facility Information
 - ◆ Hazardous Materials Inventory (if appropriate)
 - ◆ Emergency Response and Training Plans (if appropriate)
 - ◆ Recyclable Materials Report consisting of the following documents:
 - Recyclable Materials Report – Page 1
 - Recyclable Materials Report – Page 1

K. Silver-Only Facilities

- The removal of silver from photo imaging solutions and photo imaging solution wastewaters pursuant to HSC Section 25143.13 shall be exempted with respect to the requirements for treatment of a hazardous waste.
- The CUPA shall regulate silver- only facilities eligible for the treatment exemption pursuant to HSC Section 25143.13 under the applicable requirements of the Hazardous Waste Generator element of the Unified Program.

L. Remote Waste Consolidation Site

- Acknowledgement of notifications required pursuant to HSC Sections 25110.10(d) and 25201.4.1(a) shall be issued within 30 working days after submission of the following submittal elements to the Statewide Information Management System; providing that the submission is deemed complete by the CUPA inspector:
 - ◆ Facility Information
 - ◆ Hazardous Materials Inventory (if appropriate)
 - ◆ Emergency Response and Training Plans (if appropriate)
 - ◆ Remote Waste Consolidation Site Annual Notification

M. Hazardous Waste Staging Area

- Acknowledgement of notifications required pursuant to HSC Section 25123.3(e) and 25201.4.1(a) shall be issued within 30 working days after submission of the notification of plans to store and treat hazardous waste onsite pursuant to HSC Section 25123.3(a)(2) of subdivision (a), in person or by certified mail, with return receipt requested, to the CUPA as provided in HSC Section 25201.4.1(a) .
- "Remediation waste staging" means the temporary accumulation of non-RCRA contaminated soil that is generated and held onsite, and that is accumulated for the purpose of onsite treatment pursuant to a certified, authorized or permitted treatment method, such as a transportable treatment unit, if all of the following requirements are met pursuant to HSC Section 25123.3(a)(2):
 - ◆ The hazardous waste being accumulated does not contain free liquids HSC Section 25123.3(a)(2)(A).
 - ◆ The hazardous waste is accumulated on an impermeable surface, such as high density polyethylene (HDPE) of at least 20 mills that is supported by a foundation, or high density polyethylene of at least 60 mills that is not supported by a foundation HSC Section 25123.3(a)(2)(B).
 - ◆ The generator provides controls for windblown dispersion and precipitation runoff and run-on and complies with any stormwater permit requirements issued by a regional water quality control board HSC Section 25123.3(a)(2)(C).
 - ◆ The generator has the accumulation site inspected weekly and after storms to ensure that the controls for windblown dispersion and precipitation runoff and run-on are functioning properly HSC Section 25123.3(a)(2)(D).
 - ◆ The staging area is certified by a registered engineer for compliance with the standards specified in HSC Section 25123.3(a)(2) subparagraphs (A) to (D), inclusive.

- If, after the notification, or during the initial year or the six-month extension, the generator determines that treatment cannot be accomplished for all, or part of, the hazardous waste accumulated in a remediation waste staging area, the generator shall immediately notify the CUPA, in person or by certified mail, with return receipt requested, that the treatment has been discontinued. The generator shall then handle and dispose of the hazardous waste in accordance with HSC Section 25123.3(b)(4).
- A generator shall not hold hazardous waste for remediation waste staging unless the generator can show, through laboratory testing, bench scale testing, or other documentation, that soil held for remediation waste staging is potentially treatable. Any fines and penalties imposed for a violation of HSC Section 25123.3(e)(2)(C) may be imposed beginning with the 91st day that the hazardous waste was initially accumulated.
- Once an onsite treatment operation is completed on hazardous waste held pursuant to HSC Section 25123.3(e)(1), the generator shall inspect the staging area for contamination and remediate as necessary.
- Remediation waste staging and the holding of non-RCRA contaminated soil for offsite transportation in accordance with HSC Section 25123.3(b)(4) shall not be considered to be disposal or land disposal of hazardous waste.
- A generator who holds hazardous waste for remediation waste staging pursuant to HSC Section 25123.3(a)(2) or who holds hazardous waste onsite for offsite transportation pursuant to HSC Section 25123.3(b)(4) shall maintain records onsite that demonstrate compliance with this section related to storing hazardous waste for remediation waste staging or related to holding hazardous waste onsite for offsite transportation, as applicable. The records maintained pursuant to this subdivision shall be available for review by any public agency authorized pursuant to Section 25180 or 25185.

N. Universal Waste Handler Of Aerosol Cans

- A universal waste handler that processes universal waste aerosol cans pursuant to HSC Section 25201.16 shall, no later than the date on which the handler first initiates this activity, submit a notification to the CUPA in person or by certified mail, with return receipt requested. The notification shall include, but not be limited to, all of the following information:
 - ◆ The name, identification number, site address, mailing address, and telephone number of the handler.
 - ◆ A description of the universal waste aerosol can processing activities, including the type and estimated volumes or quantities of universal waste aerosol cans to be processed monthly, the treatment process or processes, equipment descriptions, and design capacities.
 - ◆ A description of the characteristics and management of any hazardous treatment residuals.

- Within 30 days of any change in operation which necessitates modifying any of the information submitted in the notification, the handler shall submit an amended notification to the CUPA, in person or by certified mail, with return receipt requested.

2. HSC Ch. 6.67 Aboveground Petroleum Storage Act (APSA) Facilities

- An owner or operator of a tank facility subject to HSC Chapter 6.67 shall submit either:
 - ◆ An annual tank facility statement as required by HSC Section 25270.6; or
 - ◆ A business plan, as defined in subdivision (e) of Section 25501 and that complies with Sections 25503.5, 25505, and 25510; as required by HSC Section 25270.6.

Note: There is no Locally-Required Documentation required for APSA facilities by the County of Tulare CUPA.

- An owner or operator of a tank facility subject to HSC Section 25270.4.5(a) of this Chapter shall:
 - ◆ Prepare a Spill Prevention Control And Countermeasure (SPCC) Plan in accordance with the guidelines contained in Part 112 of Title 40 of the Code of Federal Regulations (40CFR 112).
 - ◆ Conduct periodic inspections to assure compliance with 40CFR 112 (inspections, tests, and records).
 - ◆ Implement the SPCC Plan in compliance with 40CFR 112.
- An owner or operator of a tank facility that is exempt pursuant to subdivision 25270.4.5(b) shall take the following actions:
 - ◆ Conduct daily visual inspections of any aboveground storage tank storing petroleum.
 - ◆ Allow the CUPA to conduct a periodic inspection of the tank facility.
 - ◆ If the CUPA determines installation of secondary containment is necessary for the protection of the waters of the state, install secondary means of containment for each tank or group of tanks where the secondary containment will, at a minimum, contain the entire contents of the largest tank protected by the secondary containment plus precipitation.

3. HSC Ch. 6.7 & 23 CCR Division 3, Chapters 16 & 17 Underground Storage Tanks

New Installations

- A Unified Program facility permit that is issued to a new facility shall be issued no later than 5 working days after the final construction inspection has been conducted, all necessary testing has been completed and submitted, and the following submittal elements and documents have been submitted to the Statewide Information Management System; providing that the submission is deemed complete by the CUPA inspector:

- ◆ UST Facility Operating Permit Application (One per facility)
- ◆ UST Tank Information/Monitoring Plan (One per UST)
- ◆ UST Monitoring Site Plan (Document upload)
- ◆ UST Certification of Financial Responsibility (Document upload)
- ◆ UST Response Plan (Document upload)
- ◆ UST Owner/Operator: Written Agreement (Document upload)
- ◆ Owner Statement of Designated UST Operator Compliance (Document upload)
- ◆ If the operator is not the owner of the tank, or if the permit is issued to a person other than the owner or operator of the tank, the permittee shall ensure that both the owner and the operator of the tank are provided with a copy of the permit.
- ◆ If the permit is issued to a person other than the operator of the tank, that person shall do all of the following:
 - Enter into a written agreement with the operator of the tank to monitor the tank system as set forth in the permit.
 - Provide the operator with a copy or summary of Section 25299 in the form that the board specifies by regulation.
 - Notify the local agency of any change of operator.
- ◆ As a condition of the permit to operate, the permittee shall notify the CUPA within 30 days of any changes in the usage of the underground storage tank, including the following:
 - Storage of new hazardous substances,
 - Changes in monitoring procedures,
 - Any unauthorized release from the underground storage tank

Transfer of Ownership

- Any person assuming ownership of an underground storage tank for which a valid operating permit has been issued shall have 30 days from the date of assumption of ownership to apply for a new or transferred operating permit. During the period from the date of application until the permit is issued or refused, the person shall not be held to be in violation. A Permit to Operate shall be issued to the new owner or operator no later than 5 working days after the required submittal elements and documents accepting the obligations of the permit have been submitted have been submitted to the Statewide Information Management System and are deemed complete by the CUPA inspector. The required submittal elements and documents are listed under the New Installation section above. Transferred permits shall be valid until the expiration date of the previous Permit to Operate.
- Upon receipt and review of the completed forms, the CUPA may modify or terminate the transfer of the permit to operate whenever there has been an unauthorized release, or when it determines that the underground tank system is unsafe, pursuant to the criteria listed below:
 - ◆ Age of the tank, the methods of containment, the methods of monitoring, the feasibility of any required repairs, the concentration of the hazardous substances stored in the tank, the severity of potential unauthorized releases, and the suitability of any other long-term preventive measures.

Renewal, Modification, and Revocation

- A unified program facility permit to operate underground storage tank shall be effective for one year.
 - ◆ The CUPA shall not issue or renew a permit to operate if the inspection determines that the tank does not comply with this chapter.
 - ◆ The CUPA shall not issue or renew a permit to operate to any person who has not paid the fee and surcharge required by HSC Section 25287.
- If an underground storage tank is used to store a hazardous substance not listed in the application, the permittee shall apply for a new or amended permit within 30 days after commencing the storage of that hazardous substance.
- The CUPA may revoke or modify a permit to operate for cause, including, but not limited to, any of the following:
 - ◆ Violation of any of the terms or conditions of the permit.
 - ◆ Obtaining the permit by misrepresentation or intentional failure to fully disclose all relevant facts.
 - ◆ A change in any condition that requires modification or termination of the operation of the underground storage tank.
- The CUPA shall revoke the permit to operate if the owner or operator is not in compliance with HSC Chapter 6.75 Article 3 regarding establishment and maintenance of evidence of financial responsibility, for taking corrective action and compensating third parties for bodily injury and property damage arising from operating an underground storage tank.
- The CUPA may modify or terminate the permit to operate whenever there has been an unauthorized release, or when it determines that the underground tank system is unsafe, pursuant to the criteria listed below:
 - ◆ Age of the tank, the methods of containment, the methods of monitoring, the feasibility of any required repairs, the concentration of the hazardous substances stored in the tank, the severity of potential unauthorized releases, and the suitability of any other long-term preventive measures.

Installation or Repair/Modification/Upgrade Applications

- A UST Installation Application or Repair/Modification/Upgrade Application, as appropriate, two sets of full size plans, one 8 1/2" by 11" plan, and appropriate fee is required.
- If the application is submitted in person, the CUPA Inspector or Supervisor shall perform a preliminary check for completeness and the applicant informed of any deficiencies before fees are paid. If submitted by mail or facsimile, the CUPA inspector shall expeditiously perform the preliminary review for completeness and inform the applicant by telephone of any deficiencies.
- The applicant shall be advised that new or revised submittal elements and documents listed under the New Installation section above, as appropriate, are required to be submitted before the Permit to Operate is issued. The applicant shall also be advised that plans and appropriate applications must be submitted to the building and planning agency with jurisdiction over the project.

- Upon payment of appropriate fees, a receipt is issued to the applicant in person or by mail.
- The application and plans are submitted to the appropriate CUPA inspector and logged in a dedicated binder to allow tracking. The file, application, and plans are placed in a dedicated “pending” file.
- Applications are reviewed according to Chapter 6.7 and 6.75 of the Health & Safety Code, Title 23, Division 3, Chapters 16 & 18, and the most recent edition of Local Guidance letter LG-113. If the inspector has any questions regarding the application, the applicant shall be contacted by telephone to obtain the necessary information.
- If the applicant requests expedited review of the application, or disagrees with any condition of approval imposed by the inspector, the CUPA Supervisor shall be informed. The CUPA Supervisor shall act to ensure the timely issuance of the permit and to resolve disputes.
- After the application is approved (usually within a week) the inspector stamps the approved plans and a permit is issued. The signed permit is mailed to the contractor and a copy is placed in the file.

Tank Abandonment Applications

- A UST Closure Application and appropriate fee are required.
- If the application is submitted in person, the CUPA Inspector or Supervisor shall perform a preliminary check for completeness and the applicant informed of any deficiencies before fees are paid. If submitted by mail or facsimile, the CUPA inspector shall expeditiously perform the preliminary review for completeness and inform the applicant by telephone of any deficiencies.
- The applicant shall be advised that new or revised submittal elements and documents listed under the New Installation section above, as appropriate, are required to be submitted before the Permit to Abandon is issued. The applicant shall also be advised that plans and appropriate applications must be submitted to the building and planning agency with jurisdiction over the project.
- Upon payment of appropriate fees, a receipt is issued to the applicant in person or by mail.
- The application and plans are submitted to the appropriate CUPA inspector and logged in a dedicated binder to allow tracking. The file, application, and plans are placed in a dedicated “pending” file.
- Applications are reviewed according to HSC Section 25298, 23 CCR Division 3, Chapter 16 Article 7, and 22 CCR Division 4.5, Chapter 32. If the inspector has any questions regarding the application, the applicant shall be contacted by telephone to obtain the necessary information.

- The application is normally processed the same day by after checking to ensure all fees and surcharges are current. However, if expedited processing is requested, the CUPA Supervisor shall be informed. The CUPA Supervisor shall act to ensure the timely issuance of the permit and to resolve disputes.
- After the approval of the application a permit is issued. The signed permit is issued to the contractor in person or mailed and a copy is placed in the file.
- The Permit To Abandon is valid for 60 days.

4. HSC Ch. 6.95 Art. 1 Hazardous Material Release Response Plans and Inventories

- A Unified Program Facility permit shall be issued within 30 working days after submission of the following submittal elements required under HSC Sections 25505 to the Statewide Information Management System; providing that the submission is deemed complete by the CUPA inspector, and payment of the fee and surcharge provided for in Health and Safety Code Sections 25513 and 25404.5, and Title 22 California Code of Regulations Sections 15210 and 15250.
 - ◆ Facility Information
 - ◆ Hazardous Materials Inventory
 - ◆ Emergency Response and Training Plans

5. HSC Ch. 6.95 Art. 2 California Accidental Release Prevention (CalARP) Program

- A Unified Program Facility permit shall be issued within 30 working days after submission of the following submittal elements required under HSC Sections 25505 to the Statewide Information Management System; providing that the submission is deemed complete by the CUPA inspector, and payment of the fee and surcharge provided for in Health and Safety Code Sections 25513 and 25404.5, and Title 22 California Code of Regulations Sections 15210 and 15250.
 - ◆ Facility Information
 - ◆ Hazardous Materials Inventory
 - ◆ Emergency Response and Training Plans
- The implementation schedule and timelines for the CalARP Program are as follows:
- All CalARP facilities are also subject to the requirements listed in item 4 above.
- A CalARP surcharge will be assessed on all facilities exceeding the threshold quantities listed in as listed in Tables 1 or 2 and Table 3 of 19 CCR Section 2770.5.
- Facilities exceeding threshold quantity as listed in Tables 1 or 2 and Table 3 shall:
- Submit CalARP registration by March 1 of each year (19 CCR Section 2740.1(c))
- Facilities exceeding threshold quantities listed in Tables 1 or 2 shall: (19 CCR Section 2735.4(a)(1))
 - ◆ Submit RMP by June 21, 1999 (19 CCR Section 2735.4(a)(1))

- Facilities exceeding threshold quantities listed in Table 3, and CUPA has determined and provided notice pursuant to HSC Section 25534 that an RMP is required shall: (19 CCR Section 2735.4(a)(2))
 - ◆ Existing stationary source - submit RMP no earlier than 12 months or later than 3 years after the notice was issued
 - ◆ New or modified stationary source - submit RMP prior to the date in which a regulated substance is first present in a process above the listed threshold quantity.
- Facilities exceeding threshold quantity as listed in Tables 1 or 2 and Table 3 shall: (19 CCR Section 2735.4(a)(2))
 - ◆ Submit RMP covering all processes by June 21, 1999 (19 CCR Section 2735.4(a)(3))
- CUPA performs RMP completeness review and written notice of deficiencies (19 CCR Section 2745.2(a)(3))
 - ◆ If deficiencies noted, the owner operator shall within 60 calendar days from receipt of the notification of RMP deficiencies to make corrections (or if requested in writing, a one-time 30 calendar day extension) (19 CCR Section 2745.2(a)(3)(A)):
 - Resubmit the corrected, revised RMP At the end of the 60 calendar days, and any extension period if applicable
 - ◆ If no deficiencies, the CUPA shall (19 CCR Section 2745.2(a)(3)(B)):
 - Accept the RMP as complete
 - Publish public notice within 15 calendar days (19 CCR Section 2745.2(a)(4))
 - Public comment period of 45 calendar days (19 CCR Section 2745.2(a)(4))
- For Program 1 or 2 facilities, the CUPA shall complete the evaluation review within 36 months (19 CCR Section 2745.2(a)(6)(A))
- For Program 3 facilities, the CUPA shall complete the evaluation review within 24 months (19 CCR Section 2745.2(a)(6)(B))

6. The requirements of Sections 2701.5.1 and 2701.5.2 of the California Fire Code, as adopted by the State Fire Marshal pursuant to HSC Section 13143.9 concerning hazardous material management plans and inventories.

- The requirements of HSC Sections 25504(e)(4), 25506(b) and 13143.9(b) regarding Hazardous Material Management Plans shall be met by complying with the requirements of Section 4 Hazardous Material Release Response Plans and Inventories If the local fire chief requires a business to comply with the Hazardous Materials Inventory Statement (HMIS) requirements of the California Fire Code, then the fire code hazard classes shall be completed on the Hazardous Materials Inventory submittal.