



COUNTY OF SAN DIEGO

COMPLIANCE INSPECTION REPORT

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Aboveground Petroleum Storage Act (APSA) Program

Each violation checked below is for the section(s) of the California Health and Safety Code (HSC), California Code of Regulations (CCR), or San Diego County Code ("SDCC") indicated in italics. Incorporated provisions of Title 40 of the Code of Federal Regulations (CFR) are noted for reference. All violations must be corrected. Submit documentation of return to compliance to your Specialist. You may use a DEH Corrective Action Form (HM-926) or other correspondence to document your return to compliance. Please call (858) 505-6880 or your Specialist if you have any questions.

GENERAL APSA FACILITY REQUIREMENT

(CHAPTER 6.67 OF DIVISION 20 OF THE HSC & SDCC)

#	VIOLATION DESCRIPTION
<input type="checkbox"/> 4010001	Failed to prepare a Spill Prevention, Control, and Countermeasures (SPCC) Plan. HSC 25270.4.5(a), 40 CFR 112.3, 112.6
<input type="checkbox"/> 4030038	Failed to implement the SPCC Plan. HSC 25270.4.5(a), 40 CFR 112.3, 112.6
<input type="checkbox"/> 4010032	Failed to submit a tank facility statement or update/certify Business Plan annually. HSC 25270.6(a)(1) or (a)(2)
<input type="checkbox"/> 4010033	Failed to pay the APSA program fee or obtain Unified Program Facility Permit. HSC 25270.6(b), SDCC 68.904; 68.905; 68.907.1
<input type="checkbox"/> 4040001	Failed to immediately, upon discovery, report a one-barrel (42 gallons) or greater release of petroleum to Cal OES and the CUPA. HSC 25270.8
<input type="checkbox"/> 4010037	Failed to meet conditions of APSA exemption for oil-filled electrical equipment including containment and visual inspection. HSC 25270.2(a)(4), 25270.4.5(a)
<input type="checkbox"/> 4030043	Failed to have secondary containment and leak detection if piping connected to tank in an underground area (TIUGA) cannot be directly viewed on all sides. (Refer to HSC 6.67 for direct viewing; DOES NOT apply to: 1. Piping connected to a tank that contains new oil/used oil for lubricant or coolant in a motor engine or transmission, or oil-filled operational/manufacturing equipment. 2. Piping connected to a tank used solely in connection with a fire pump or emergency system, legally required by standby system, or optional standby system. 3. Piping connected to a petroleum hazardous waste tank that complies with hazardous waste tank standards (22 CCR Ch. 15, Art. 10) and facility has been issued a unified program facility permit pursuant to HSC 25404.2 for generation, treatment, accumulation, or storage of hazardous waste.) (24CCR Title 9 Section 5703.6.2.2.) HSC 25270.4.5(a), HSC 25270.2(o)(1)(C)(iv)
<input type="checkbox"/> 4030044	Failure of an owner/operator of an excluded tank in an underground area (TIUGA) with less than 55-gallon capacity to have secondary containment, conduct monthly inspections, and/or maintain a log of inspections. HSC 6.67 25270.2(a)(8)
<input type="checkbox"/> HMD5104	Failed to submit, and keep up to date, the APSA program element in CERS. SDCC 68.904; 27 CCR 15188(a),(b),(c),&(f)

REQUIREMENTS BASED ON 40 CFR 112.1-112.6

#	VIOLATION DESCRIPTION
<input type="checkbox"/> 4010035	Failed to prepare an appropriate SPCC Plan within 6 months when the facility no longer meets the qualified facility criteria. 40 CFR 112.6(a)(2), 112.6(b)(2)(ii); HSC 6.67 25270.4.5 (a)
<input type="checkbox"/> 4010047	(Qualified Facility only- Tier I or II) Failed to have management, or a Professional Engineer if applicable, certify the SPCC Plan and comply with the certification requirements. (40 CFR 112.6(a)(1), 112.6(b).) HSC 25270.4.5(a)
<input type="checkbox"/> 4010048	(Qualified Facility only- Tier I) Failed to certify the SPCC Plan according to 40 CFR 112.6(a)(1) if a technical change has been made to the facility design, construction, operation, or maintenance. (40 CFR 112.6(a)(2).) HSC 25270.4.5(a)
<input type="checkbox"/> 4010052	(Qualified Facility only- Tier II) Failed to have technical amendment(s) certified by management, or a Professional Engineer if applicable. (40 CFR 112.6(b)(2), 112.6(b)(2)(i).) HSC 25270.4.5(a)
<input type="checkbox"/> 4010054	(Qualified Facility only- Tier I) Failed to include in the SPCC Plan a prediction of direction and total quantity of oil potentially discharged from the facility as a result of each type of major equipment failure. (40 CFR 112.6(a)(3)(i).) HSC 25270.4.5(a)
<input type="checkbox"/> 4030041	(Qualified Facility only- Tier I) Failed to provide bulk storage containers/tanks with adequate sized secondary containment to contain the capacity of the largest container plus freeboard for precipitation; failed to position/locate mobile or portable containers to prevent a discharge. (40 CFR 112.6(a)(3)(ii).) HSC 25270.4.5(a)
<input type="checkbox"/> 4030042	(Qualified Facility only- Tier I) Failed to provide systems or follow procedures to prevent overfills as described in the SPCC Plan; failed to routinely test overflow equipment to ensure proper operation. (40 CFR 112.6(a)(3)(iii).) HSC 25270.4.5(a)
<input type="checkbox"/> 4010003	Failed to have a Professional Engineer certify and review the SPCC Plan. (40 CFR 112.3(d).) HSC 25270.4.5(a)
<input type="checkbox"/> 4010008	Failed to maintain a complete copy of the SPCC Plan at the facility if the facility is normally attended at least four hours per day, or at the nearest field office if the facility is not so attended. (40 CFR 112.3(e)(1).) HSC 25270.4.5(a)
<input type="checkbox"/> 4010010	Failed to make SPCC Plan technical amendment(s) within six months when the facility has had a change in design, construction, operation, or maintenance which affects the facility's discharge potential; failed to implement within six months following preparation of the amendment. (40 CFR 112.5(a), 112.5(b).) HSC 25270.4.5(a)
<input type="checkbox"/> 4010009	Failed to perform and properly document a five-year review of the SPCC Plan. (40 CFR 112.5(b).) HSC 25270.4.5(a)
<input type="checkbox"/> 4010039	Failed to have technical amendments certified by a licensed Professional Engineer. (40 CFR 112.5(c).) HSC 25270.4.5(a)

GENERAL SPCC REQUIREMENTS

BASED UPON 40 CFR 112.7

#	VIOLATION DESCRIPTION
<input type="checkbox"/> 4010012	Failed to prepare a written SPCC Plan in accordance with good engineering practices and any applicable more stringent State rules, regulations, and guidelines; failed to prepare a SPCC Plan that follows the sequence of rule or provides a cross-reference; failed to prepare a SPCC Plan that addresses additional procedures/methods/equipment not fully operational; failed to obtain facility management approval for implementation of the SPCC Plan. (40 CFR 112.7 and 112.7(a)(1).) HSC 25270.4.5(a)
<input type="checkbox"/> 4010014	Failed to include alternative environmental protection to SPCC requirements within SPCC Plan. (40 CFR 112.7(a)(2).) HSC 25270.4.5(a)
<input type="checkbox"/> 4010015	Failed to include in the SPCC Plan an adequate facility diagram, or no facility diagram included. The facility diagram is not required for a Tier I Qualified Facility. (40 CFR 112.7(a)(3).) HSC 25270.4.5(a)
<input type="checkbox"/> 4010016	Failed to adequately describe in the SPCC Plan the physical layout of facility, types of oil and storage capacities, tanks, containers, equipment, mobile refuelers, portable containers, transfer operations, and other required information. (40 CFR 112.7(a)(3), 112.7(a)(3)(i-vi).) HSC 25270.4.5(a)
<input type="checkbox"/> 4010017	Plan does not contain procedures for reporting a discharge, and/or a contact list and phone numbers for the facility response coordinator, National Response Center, cleanup contractors with an agreement for response, and all appropriate Federal, State, and local agencies. (40 CFR 112.7(a)(4).) HSC 25270.4.5(a)
<input type="checkbox"/> 4010018	Discharge response procedures are not adequately organized to be readily accessible in an emergency. (40 CFR 112.7(a)(5).) HSC 25270.4.5(a)
<input type="checkbox"/> 4010019	Failed to include in the SPCC Plan a prediction of the direction, rate of flow, and total quantity of oil that could be discharged for each type of major equipment failure where experience indicates a reasonable potential for equipment failure. (40 CFR 112.7(b).) HSC 25270.4.5(a)
<input type="checkbox"/> 4010020	(General Containment) Failed to provide, or include in the SPCC Plan, the appropriate containment, diversionary structures, or equipment to prevent a discharge that will not escape containment before cleanup occurs, including typical failure mode and most likely quantity of discharge. (40 CFR 112.7(c).) HSC 25270.4.5(a)
<input type="checkbox"/> 4010004	Failed to clearly explain why appropriate containment/diversionary structures are not practicable and/or SPCC Plan claiming impracticability is not certified by a licensed Professional Engineer. (40 CFR 112.7(d).) HSC 25270.4.5(a)



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APSA Program (continued)

- 4010005 Failed to prepare an Oil Spill Contingency Plan following the provisions of 40 CFR Part 109 for impracticability claim. (40 CFR 112.7(d)(1).) HSC 25270.4.5(a)
- 4010006 Failed to provide a written commitment of manpower, equipment, materials when claiming impracticability. (40 CFR 112.7(d)(2).) HSC 25270.4.5(a)
- 4010021 Failed to have record of inspections and integrity tests signed by the appropriate supervisor or inspector, keep written procedures and records of inspections and integrity tests for at least three years, and/or keep comparison records for bulk storage containers subject to 40 CFR 112.8(c)(6). (40 CFR 112.7(e), 112.8(c)(6).) HSC 25270.4.5(a)
- 4020002 Failure to conduct spill prevention briefing for oil-handling personnel at least once a year to assure adequate understanding of the SPCC Plan, including: 1. Known discharges or failures, 2. Malfunctioning components, 3. Any recently developed precautionary measures. 40 CFR 112.7(f)(3); HSC 6.67 25270.4.5(a)
- 4020001 Failed to train oil-handling personnel on: operation/maintenance of equipment to prevent discharges; discharge procedure protocols; applicable laws, rules, and regulations; general facility operations; and the contents of the SPCC Plan. (40 CFR 112.7(f)(1).) HSC 25270.4.5(a)
- 4010022 Failed to designate person accountable for discharge prevention who reports to facility management. (40 CFR 112.7(f)(2).) HSC 25270.4.5(a)
- 4010023 Failure to include in the SPCC Plan an adequate description of employee training. 40 CFR 112.7(f)(1), 40 CR 112.7(f)(3), HSC 6.67 25270.4.5(a)
- 4030001 Failed to address security and access control of the oil handling, processing, and storage areas to both prevent acts of vandalism and assist in discovery of discharges. (40 CFR 112.7(g).) HSC 25270.4.5(a)
- 4030002 (For loading/unloading racks) Failure of the secondary containment, and/or rack drainage to flow to a catchment basin, treatment system, or quick drainage system, and hold at least the maximum capacity of the largest single compartment of any tank car or tank truck. (40 CFR 112.7(h)(1).) HSC 25270.4.5(a)
- 4030003 (For loading/unloading racks) Failed to provide an interlocked warning light or physical barriers, warning signs, wheel chocks, or vehicle brake interlock system in the area adjacent to the loading/unloading rack to prevent vehicles from departing before complete disconnection of transfer lines. (40 CFR 112.7(h)(2).) HSC 25270.4.5(a)
- 4030016 Failed to evaluate field-constructed storage tank for brittle fracture or other catastrophe and take appropriate action. (40 CFR 112.7(i).) HSC 25270.4.5(a)
- 4010013 Failure to discuss in the SPCC Plan conformance with SPCC requirements and other effective discharge prevention and containment procedures or any more stringent State rules, regulations and guidelines. (HSC 6.67 25270.4.5(a); 40 CFR 112.7(a)(1), 112.7(j))
- 4030034 (For oil-filled operational equipment) Failed to provide general secondary containment or fulfill alternative requirements to general secondary containment. (40 CFR 112.7(k).) HSC 25270.4.5(a)

SPCC REQUIREMENTS BASED UPON 40 CFR 112.8 & 112.20

REFER TO APSA (HSC CHAPTER 6.67) FOR DEFINITION OF "STORAGE TANK"

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VIOLATION DESCRIPTION

- 4010027 Failed to restrain drainage from diked storage areas by valve(s) or manually activated pump/ejector to prevent discharge. (40 CFR 112.8(b)(1).) HSC 25270.4.5(a)
- 4030005 Failed to use valves of manual, open-and-closed design, for drainage of diked areas. (40 CFR 112.8(b)(2).) HSC 25270.4.5(a)
- 4030008 Facility drainage system from undiked areas not designed/equipped to retain oil or return oil to facility and/or failed to ensure catchment basin is not in an area subject to flooding. (40 CFR 112.8(b)(3), 112.8(b)(4).) HSC 25270.4.5(a)
- 4030009 Failed to provide at least two lift pumps and permanently install at least one pump where drainage waters are treated in more than one treatment unit and such treatment is continuous, and pump transfer is needed. (40 CFR 112.8(b)(5).) HSC 25270.4.5(a)
- 4030012 Storage tanks not compatible with materials stored or conditions of storage. (40 CFR 112.8(c)(1).) HSC 25270.4.5(a)
- 4030010 (Sized Containment) Secondary containment not sized to contain the entire capacity of the largest single storage tank plus freeboard for precipitation. (40 CFR 112.8(c)(2).) HSC 25270.4.5(a)
- 4030013 Failure to ensure diked areas are sufficiently impervious to contain discharged oil. (40 CFR 112.8(c)(2).) HSC 25270.4.5(a)
- 4030006 Failed to ensure all of the following before allowing drainage of uncontaminated rainwater from diked area: keep bypass valve normally sealed closed, inspect the retained rainwater, and open then reseal bypass valves under responsible supervision. (40 CFR 112.8(c)(3).) HSC 25270.4.5(a)
- 4010026 Failed to maintain adequate records (or NPDES permit records) of drainage from diked areas. (40 CFR 112.8(c)(3)(iv).) HSC 25270.4.5(a)
- 4030017 Failed to provide corrosion protection for partially buried storage tanks. (40 CFR 112.8(c)(5).) HSC 25270.4.5(a)
- 4030015 Failed to test or inspect each aboveground tank or container for integrity on a regular schedule and after material repairs. (40 CFR 112.7(e), 112.8(c)(6).) HSC 25270.4.5(a)
- 4030014 Failed to ensure tanks are inspected and tested by an appropriately qualified person in accordance with industry standards. (40 CFR 112.7(e), 112.8(c)(6).) HSC 25270.4.5(a)
- 4010028 Failed to include in the SPCC Plan procedures to test or inspect each aboveground container for integrity in accordance with industry standards on a regular schedule, after material repairs are made, by qualified personnel; failed to include the frequency and type of testing and inspections based on container size, configuration, and design. (40 CFR 112.8(c)(6).) HSC 25270.4.5(a)
- 4030018 Failure of steam return/exhaust of internal heating coils, which discharge into an open water course, to be monitored, passed through a settling tank, skimmer, or other separation system. (40 CFR 112.8(c)(7).) HSC 25270.4.5(a)
- 4030019 Failed to engineer or update each container/tank installation in accordance with good engineering practice to avoid discharges and/or failed to provide at least one of the following overflow prevention devices: audible/visual high liquid level alarm, high liquid level pump cutoff devices, audible or code signal communications between tank gauge and pumping station, or fast response system for determining liquid levels, such as computers, telepulse or direct vision gauges. (40 CFR 112.8(c)(8)(i-iv).) HSC 25270.4.5(a)
- 4030022 Failed to regularly test liquid level sensing devices to ensure proper operation. (40 CFR 112.8(c)(8)(v).) HSC 25270.4.5(a)
- 4030023 Failed to observe effluent treatment facilities frequently enough to detect any potential for discharges as described in 40 CFR 112.1(b). (40 CFR 112.8(c)(9).) HSC 25270.4.5(a)
- 4030021 Failed to promptly correct visible discharges and/or remove any accumulations of oil in diked areas. (40 CFR 112.8(c)(10).) HSC 25270.4.5(a)
- 4030020 (For mobile or portable storage tanks EXCEPT mobile refuelers) Failed to position or locate mobile or portable storage container, and/or failure to provide secondary containment with sufficient capacity to contain the largest single mobile or portable container/compartment and sufficient freeboard for precipitation. (40 CFR 112.8(c)(11).) HSC 25270.4.5(a)
- 4030025 Failed to inspect buried piping when exposed for any reason; failed to do additional examination or take corrective action if corrosion damage is identified. (40 CFR 112.8(d)(1).) HSC 25270.4.5(a)
- 4030027 Failed to provide corrosion protection for buried piping. (40 CFR 112.8(d)(1).) HSC 25270.4.5(a)
- 4030028 Failed to cap/blank-flange piping connection at transfer point and mark its origin if not in service. (40 CFR 112.8(d)(2).) HSC 25270.4.5(a)
- 4030029 Failed to design pipe supports to minimize abrasion/corrosion and to allow for expansion/contraction. (40 CFR 112.8(d)(3).) HSC 25270.4.5(a)
- 4030026 Failed to regularly inspect aboveground valves, piping, and appurtenances. (40 CFR 112.8(d)(4).) HSC 25270.4.5(a)
- 4030030 Failed to conduct integrity and leak test on buried piping at installation, modification, construction, relocation or replacement. (40 CFR 112.8(d)(4).) HSC 25270.4.5(a)
- 4030031 Failed to adequately warn vehicles entering facility to protect piping and other transfer operations. (40 CFR 112.8(d)(5).) HSC 25270.4.5(a)



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APSA Program (continued)

- 4010044 Failed to complete and maintain at the facility the Substantial Harm Criteria certification form when owner or operator determines that the facility could not be reasonably expected to cause substantial harm to the environment. (40 CFR 112.20(e).) HSC 25270.4.5(a)
- 4010029 Failed to adequately discuss in the SPCC Plan all applicable bulk storage containers, including compatibility with material stored and conditions of storage, and description of sized secondary containment capable of containing the largest single container and sufficient freeboard to contain precipitation. 40 CFR 1 112.8(c)(1) & (2); HSC 6.67 25270.4.5 (a)

HM-950 APSA (08-21)