



# COUNTY OF SAN DIEGO

## COMPLIANCE INSPECTION REPORT California Accidental Release Prevention (CalARP) Program 1

INSPECTION DATE: **03/12/2021**PAGE **2** OF **9**

RECORD ID #:

FACILITY NAME: \*

ADDRESS: \*

CITY/ZIP: \*

*VIOLATION REPORT: Each violation checked below is for the section(s) of the California Health and Safety Code (HSC), California Code of Regulations (CCR), or the San Diego County Code (SDCC) indicated in italics. Incorporated provisions of Title 40 of the Code of Federal Regulations (CFR) and Title 42 of the United States Code (USC) are noted for reference. All violations must be corrected. Submit documentation of return to compliance to your Specialist. You may use the Corrective Action Form (HM-926) to document your return to compliance. Please call (858) 505-6880 or your Specialist if you have any questions. Administering Agency (AA); process hazard analysis (PHA); process safety information (PSI); emergency response (ER); regulated substance (RS); stationary source (SS); threshold quantity (TQ)*

### GENERAL APPLICABILITY & COORDINATION

- | #                                | VIOLATION DESCRIPTION   |
|----------------------------------|---|
| <input type="checkbox"/> 5010001 | Failure to comply with CalARP provisions when having a regulated substance in a process listed in Table 1/2. 19 CCR 4.5 2735.4(a)(1)  |
| <input type="checkbox"/> 5010002 | Failure to comply with the appropriate provisions of 19 CCR 4.5 prior to the date in which a regulated substance is first present in a process above the listed threshold quantity, as listed in Table 3 of Section 2770.5. 19 CCR 4.5 2735.4(a)(2) |
| <input type="checkbox"/> 5010003 | Failure to comply with CalARP provisions when having a regulated substance in a process listed in Table 1/2 and 3. 19 CCR 4.5 2735.4(a)(3)  |
| <input type="checkbox"/> 5010004 | Failure to closely coordinate with the CUPA to implement the CalARP requirements. 19 CCR 4.5 2735.5(a)  |
| <input type="checkbox"/> 5030005 | Failure to identify hazards that may result from releases, design and maintain a safe facility or minimize the consequences of an accidental release. HSC 25531.2(b)  |
| <input type="checkbox"/> 5010006 | Failure to ensure response actions are coordinated with local emergency planning and response agencies. 19 CCR 4.5 2735.5(d)(3)   |
| <input type="checkbox"/> 5010120 | Failure to coordinate with CUPA to ensure appropriate technical standards are applied to implement CalARP. 19 CCR 4.5 2785.1(a)   |
| <input type="checkbox"/> 5010121 | Failure to request assistance from the CUPA when necessary to address compliance/safety issues with CalARP. 19 CCR 4.5 2785.1(b)  |

### RMP COMPONENTS AND SUBMISSION

#### RMP SUBMISSION

- | #                                | VIOLATION DESCRIPTION  |
|----------------------------------|--|
| <input type="checkbox"/> 5010005 | Failure to submit an RMP which includes all requirements in Section 2745.3 to 2745.5 and 2745.8 to 2745.9. 19 CCR 4.5 2735.5(b)(1), 2735.5(d), 2745.1(a)   |
| <input type="checkbox"/> 5010016 | Failure to submit the RMP information required by the USEPA to the USEPA. 19 CCR 4.5 2745.1(b)(1), 2745.1(b)(2)  |
| <input type="checkbox"/> 5010017 | Failure to submit the RMP information required by the USEPA to the CUPA. 19 CCR 4.5 2745.1(c)  |
| <input type="checkbox"/> 5010018 | Failure of a stationary source to submit a Risk Management Plan to the CUPA after the owner or operator has received a notice from the CUPA requesting submission of a Risk Management Plan. HSC 6.95 25536(b) |
| <input type="checkbox"/> 5010019 | Failure to submit an RMP to the CUPA prior to the date a RS is in a process above the TQ. 19 CCR 4.5 2745.1(d)   |
| <input type="checkbox"/> 5010020 | Failure to exclude classified information from the RMP. 19 CCR 4.5 2745.1(h)   |

#### RMP CERTIFICATION

- | #                                | VIOLATION DESCRIPTION  |
|----------------------------------|--|
| <input type="checkbox"/> 5010021 | Failure to ensure that the RMP is certified complete by a QUALIFIED PERSON and the stationary source owner or operator. 19 CCR 4.5 2745.2(a) |
| <input type="checkbox"/> 5010023 | Failure to submit in the RMP the certification statement provided in Section 2735.5(d)(4).   |

#### RMP UPDATES

- | #                                | VIOLATION DESCRIPTION   |
|----------------------------------|---|
| <input type="checkbox"/> 5010025 | Failure to revise, update, and submit the RMP to the USEPA and CUPA per timelines in Section 2745.10(a). 19 CCR 4.5 2745.10(a)        |
| <input type="checkbox"/> 5010026 | Failure to revise, update, and submit the RMP to the USEPA and CUPA per timelines in Section 2745.10(b). 19 CCR 4.5 2745.10(b)        |
| <input type="checkbox"/> 5010027 | Failure to submit a de-registration to the USEPA and CUPA within six months of the regulated substance removal. 19 CCR 4.5 2745.10(c) |
| <input type="checkbox"/> 5010028 | Failure to submit a de-registration to the CUPA within six months of the regulated substance removal. 19 CCR 4.5 2745.10(d)           |
| <input type="checkbox"/> 5010029 | Failure to contact the CUPA within 30 days of a change of owner or operator to update the registration. 19 CCR 4.5 2745.10(f)         |

#### RMP CORRECTIONS

- | #                                | VIOLATION DESCRIPTION  |
|----------------------------------|--|
| <input type="checkbox"/> 5010030 | Failure to correct and submit the data required in the RMP under sections 2745.5, 2745.6(j), and 2745.7(1) (New Accident History). 19 CCR 4.5 2745.10.5(a) |
| <input type="checkbox"/> 5010031 | Failure to correct and submit the EMERGENCY CONTACT information in the RMP within one month of any change. 19 CCR 4.5 2745.10.5(b)                         |

#### COVERED PROCESS MODIFICATION

- | #                                | VIOLATION DESCRIPTION   |
|----------------------------------|---|
| <input type="checkbox"/> 5010032 | Failure to notify the CUPA in writing of the intent to modify the stationary source at least five calendar days before implementing any modifications or no later than 48 hours following the modification if prenotification is not reasonable. 19 CCR 4.5 2745.11(a)(1) |
| <input type="checkbox"/> 5010033 | Failure to establish procedures to manage the proposed modification, which shall be substantially similar to the procedures specified in Sections 2760.6 and 2760.7, and notify the CUPA that the procedures have been established. 19 CCR 4.5 2745.11(a)(2)              |
| <input type="checkbox"/> 5010262 | Failure to revise documents as required pursuant to section 2745.11(a) at a modified stationary source. 19 CCR 4.5 2645.11(b)   |

#### CERTIFICATE OF OCCUPANCY

- | #                                | VIOLATION DESCRIPTION   |
|----------------------------------|---|
| <input type="checkbox"/> 5010034 | Failure to comply with Government Code Section 65850.2(b) prior to issuance of a certificate of occupancy. 19 CCR 4.5 2745.12 |

#### RMP REVIEW

- | #                                | VIOLATION DESCRIPTION   |
|----------------------------------|---|
| <input type="checkbox"/> 5010022 | Failure to correct deficiencies within 60 calendar days from receipt of the notification of RMP deficiencies. 19 CCR 4.5 2745.2(b)(1) |

### REGISTRATION

- | # | VIOLATION DESCRIPTION |
|---|-----------------------|
|---|-----------------------|



# COUNTY OF SAN DIEGO

## COMPLIANCE INSPECTION REPORT

INSPECTION DATE: 03/12/2021

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RECORD ID #: \_\_\_\_\_

### CalARP Program 1 (continued)

- 5010008 Failure to include a registration in the RMP that reflects all covered processes. 19 CCR 4.5 2735.5(b)(2)
- 5010012 Failure to complete the registration information and submit it with the RMP to the USEPA and the CUPA. 19 CCR 4.5 2740.1(a)
- 5010013 Failure to complete the REGISTRATION information and submit it with the RMP to the CUPA.
- 5010014 Failure to submit a registration with a certification of accuracy to the CUPA prior to submittal of the RMP. 19 CCR 4.5 2740.1(c)
- 5010015 Failure to include the data required in Section 2740.1(d)(1) through (d)(20) in the registration. 19 CCR 4.5 2740.1(d)

#### HAZARD ASSESSMENT

# VIOLATION DESCRIPTION

- 5010035 Failure to prepare a worst-case release scenario analysis as provided in Section 2750.3. 19 CCR 4.5 2750.1
- 5010036 Failure to complete the five-year accident history as provided in Section 2750.9. 19 CCR 4.5 2750.1

#### RECORDKEEPING

# VIOLATION DESCRIPTION

- 5010119 Failure to maintain records supporting the implementation of CalARP for five years unless otherwise provided. 19 CCR 4.5 2775.1



# COUNTY OF SAN DIEGO

## COMPLIANCE INSPECTION REPORT California Accidental Release Prevention (CalARP) Program 2

INSPECTION DATE: **03/12/2021**PAGE **4** OF **9**

RECORD ID #: \_\_\_\_\_

*VIOLATION REPORT: Each violation checked below is for the section(s) of the California Health and Safety Code (HSC), California Code of Regulations (CCR), or the San Diego County Code (SDCC) indicated in italics. Incorporated provisions of Title 40 of the Code of Federal Regulations (CFR) and Title 42 of the United States Code (USC) are noted for reference. All violations must be corrected. Submit documentation of return to compliance to your Specialist. You may use the Corrective Action Form (HM-926) to document your return to compliance. Please call (858) 505-6880 or your Specialist if you have any questions. Administering Agency (AA); process hazard analysis (PHA); process safety information (PSI); emergency response (ER); regulated substance (RS); stationary source (SS); threshold quantity (TQ)*

### GENERAL APPLICABILITY & COORDINATION

#	VIOLATION DESCRIPTION
<input type="checkbox"/> 5010001	Failure to comply with CalARP provisions when having a regulated substance in a process listed in Table 1/2. 19 CCR 4.5 2735.4(a)(1)
<input type="checkbox"/> 5010002	Failure to comply with the appropriate provisions of 19 CCR 4.5 prior to the date in which a regulated substance is first present in a process above the listed threshold quantity, as listed in Table 3 of Section 2770.5. 19 CCR 4.5 2735.4(a)(2)
<input type="checkbox"/> 5010003	Failure to comply with CalARP provisions when having a regulated substance in a process listed in Table 1/2 and 3. 19 CCR 4.5 2735.4(a)(3)
<input type="checkbox"/> 5010004	Failure to closely coordinate with the CUPA to implement the CalARP requirements. 19 CCR 4.5 2735.5(a)
<input type="checkbox"/> 5010120	Failure to coordinate with CUPA to ensure appropriate technical standards are applied to implement CalARP. 19 CCR 4.5 2785.1(a)
<input type="checkbox"/> 5010121	Failure to request assistance from the CUPA when necessary to address compliance/safety issues with CalARP. 19 CCR 4.5 2785.1(b)
<input type="checkbox"/> 5030005	Failure to identify hazards that may result from releases, design and maintain a safe facility or minimize the consequences of an accidental release. HSC 25531.2(b)

### MANAGEMENT SYSTEM

#	VIOLATION DESCRIPTION
<input type="checkbox"/> 5010009	Failure to develop a management system to oversee the implementation of the risk management program elements. 19 CCR 4.5 2735.6(a)
<input type="checkbox"/> 5010010	Failure to assign a QUALIFIED PERSON or position who has the overall responsibility for the risk management program elements. 19 CCR 4.5 2735.6(b)
<input type="checkbox"/> 5010011	Failure to document the names or positions and lines of authority through an organization chart or similar document. 19 CCR 4.5 2735.6(c)

### RMP COMPONENTS AND SUBMISSION

#### RMP SUBMISSION

#	VIOLATION DESCRIPTION
<input type="checkbox"/> 5010007	Failure to submit a RMP which includes all requirements in Section 2745.3 through 2745.9. 19 CCR 4.5 2735.5(b)(1), 2745.1(a)
<input type="checkbox"/> 5010016	Failure to submit the RMP information required by the USEPA to the USEPA. 19 CCR 4.5 2745.1(b)(1), 2745.1(b)(2)
<input type="checkbox"/> 5010017	Failure to submit the RMP information required by the USEPA to the CUPA. 19 CCR 4.5 2745.1(c)
<input type="checkbox"/> 5010018	Failure of a stationary source to submit a Risk Management Plan to the CUPA after the owner or operator has received a notice from the CUPA requesting submission of a Risk Management Plan. HSC 6.95 25536(b)
<input type="checkbox"/> 5010019	Failure to submit an RMP to the CUPA prior to the date a RS is in a process above the TQ. 19 CCR 4.5 2745.1(d)
<input type="checkbox"/> 5010020	Failure to exclude classified information from the RMP. 19 CCR 4.5 2745.1(h)

#### RMP CERTIFICATION

#	VIOLATION DESCRIPTION
<input type="checkbox"/> 5010021	Failure to ensure that the RMP is certified complete by a QUALIFIED PERSON and the stationary source owner or operator. 19 CCR 4.5 2745.2(a)
<input type="checkbox"/> 5010024	Failure to submit in the RMP the certification statement provided in Section 2745.9(b).

#### RMP UPDATES

#	VIOLATION DESCRIPTION
<input type="checkbox"/> 5010025	Failure to revise, update, and submit the RMP to the USEPA and CUPA per timelines in Section 2745.10(a). 19 CCR 4.5 2745.10(a)
<input type="checkbox"/> 5010026	Failure to revise, update, and submit the RMP to the USEPA and CUPA per timelines in Section 2745.10(b). 19 CCR 4.5 2745.10(b)
<input type="checkbox"/> 5010027	Failure to submit a de-registration to the USEPA and CUPA within six months of the regulated substance removal. 19 CCR 4.5 2745.10(c)
<input type="checkbox"/> 5010028	Failure to submit a de-registration to the CUPA within six months of the regulated substance removal. 19 CCR 4.5 2745.10(d)
<input type="checkbox"/> 5010029	Failure to contact the CUPA within 30 days of a change of owner or operator to update the registration. 19 CCR 4.5 2745.10(f)

#### RMP CORRECTIONS

#	VIOLATION DESCRIPTION
<input type="checkbox"/> 5010030	Failure to correct and submit the data required in the RMP under sections 2745.5, 2745.6(j), and 2745.7(1) (New Accident History). 19 CCR 4.5 2745.10.5(a)
<input type="checkbox"/> 5010031	Failure to correct and submit the EMERGENCY CONTACT information in the RMP within one month of any change. 19 CCR 4.5 2745.10.5(b)
<input type="checkbox"/> 5010262	Failure to revise documents as required pursuant to section 2745.11(a) at a modified stationary source. 19 CCR 4.5 2645.11(b)

#### COVERED PROCESS MODIFICATION

#	VIOLATION DESCRIPTION
<input type="checkbox"/> 5010032	Failure to notify the CUPA in writing of the intent to modify the stationary source at least five calendar days before implementing any modifications or no later than 48 hours following the modification if prenotification is not reasonable. 19 CCR 4.5 2745.11(a)(1)
<input type="checkbox"/> 5010033	Failure to establish procedures to manage the proposed modification, which shall be substantially similar to the procedures specified in Sections 2760.6 and 2760.7, and notify the CUPA that the procedures have been established. 19 CCR 4.5 2745.11(a)(2)

#### CERTIFICATE OF OCCUPANCY

#	VIOLATION DESCRIPTION
<input type="checkbox"/> 5010034	Failure to comply with Government Code Section 65850.2(b) prior to issuance of a certificate of occupancy. 19 CCR 4.5 2745.12

#### RMP REVIEW

#	VIOLATION DESCRIPTION
<input type="checkbox"/> 5010022	Failure to correct deficiencies within 60 calendar days from receipt of the notification of RMP deficiencies. 19 CCR 4.5 2745.2(b)(1)



# COUNTY OF SAN DIEGO

## COMPLIANCE INSPECTION REPORT

INSPECTION DATE: 03/12/2021 PAGE 5 OF 9  
 RECORD ID #: \_\_\_\_\_

### CalARP Program 2 (continued)

#### REGISTRATION

- | #                                | VIOLATION DESCRIPTION   |
|----------------------------------|---|
| <input type="checkbox"/> 5010008 | Failure to include a registration in the RMP that reflects all covered processes. 19 CCR 4.5 2735.5(b)(2)                         |
| <input type="checkbox"/> 5010012 | Failure to complete the registration information and submit it with the RMP to the USEPA and the CUPA. 19 CCR 4.5 2740.1(a)       |
| <input type="checkbox"/> 5010013 | Failure to complete the REGISTRATION information and submit it with the RMP to the CUPA.  |
| <input type="checkbox"/> 5010014 | Failure to submit a registration with a certification of accuracy to the CUPA prior to submittal of the RMP. 19 CCR 4.5 2740.1(c) |
| <input type="checkbox"/> 5010015 | Failure to include the data required in Section 2740.1(d)(1) through (d)(20) in the registration. 19 CCR 4.5 2740.1(d)            |

#### HAZARD ASSESSMENT

- | #                                | VIOLATION DESCRIPTION   |
|----------------------------------|---|
| <input type="checkbox"/> 5010037 | Failure to conduct a hazard assessment that complies with Sections 2750.2 through 2750.9. 19 CCR 4.5 2750.1 |

#### RECORDKEEPING

- | #                                | VIOLATION DESCRIPTION   |
|----------------------------------|---|
| <input type="checkbox"/> 5010119 | Failure to maintain records supporting the implementation of CalARP for five years unless otherwise provided. 19 CCR 4.5 2775.1 |

#### EMERGENCY RESPONSE PROGRAM - NON-RESPONDING FACILITIES

- | #                                | VIOLATION DESCRIPTION   |
|----------------------------------|---|
| <input type="checkbox"/> 5010115 | Failure of a stationary source, whose employees will not respond to releases, to meet all applicable requirements. 19 CCR 4.5 2765.1(b) |

#### EMERGENCY RESPONSE PROGRAM - RESPONDING FACILITIES

- | #                                | VIOLATION DESCRIPTION  |
|----------------------------------|--|
| <input type="checkbox"/> 5010116 | Failure of a stationary source to develop and implement an emergency response program according to Section 2765.2(a). 19 CCR 4.5 2765.2(a)   |
| <input type="checkbox"/> 5010117 | Failure to coordinate the emergency response plan with the community emergency response plan developed under Section 11003 of Title 42 of the United States Code. 19 CCR 4.5 2765.2(c)   |
| <input type="checkbox"/> 5010118 | Failure to promptly provide to the local emergency planning committee or emergency response officials information necessary for developing and implementing the community emergency response plan upon request. 19 CCR 4.5 2765.2(c) |

#### PROGRAM 2 PREVENTION PROGRAM

##### SAFETY INFORMATION

- | #                                | VIOLATION DESCRIPTION  |
|----------------------------------|--|
| <input type="checkbox"/> 5010038 | Failure to compile and maintain up-to-date safety information related to the regulated substance, processes, and equipment. 19 CCR 4.5 2755.1(a) |
| <input type="checkbox"/> 5010039 | Failure to ensure the process is designed in compliance with RAGAGEPS. 19 CCR 4.5 2755.1(b)  |
| <input type="checkbox"/> 5010040 | Failure to update the safety information when a major change occurs that makes the information inaccurate. 19 CCR 4.5 2755.1(c)                  |

##### HAZARD REVIEW

- | #                                | VIOLATION DESCRIPTION   |
|----------------------------------|---|
| <input type="checkbox"/> 5010041 | Failure to conduct a hazard review for hazards associated with the regulated substance, process, and procedures. 19 CCR 4.5 2755.2(a)     |
| <input type="checkbox"/> 5010042 | Failure to consult with the CUPA to decide which hazard review methodology is best suited for the process. 19 CCR 4.5 2755.2(b)           |
| <input type="checkbox"/> 5010123 | Failure to use a proper team including a person with experience/knowledge specific to process for the hazard review. 19 CCR 4.5 2755.2(c) |
| <input type="checkbox"/> 5010043 | Failure to determine if the process is designed, fabricated, and operated in accordance with applicable standards. 19 CCR 4.5 2755.2(c)   |
| <input type="checkbox"/> 5010044 | Failure to include a consideration of external events, including seismic events in the hazard review. 19 CCR 4.5 2755.2(d)                |
| <input type="checkbox"/> 5010045 | Failure to address all requirements in hazard review Section 2755.2(e). 19 CCR 4.5 2755.2(e)  |
| <input type="checkbox"/> 5010046 | Failure to update and revalidate the hazard review at least once every 5 years. 19 CCR 4.5 2755.2(f)                                      |
| <input type="checkbox"/> 5010047 | Failure to update and revalidate the hazard review whenever a major change in the process occurs. 19 CCR 4.5 2755.2(f)                    |
| <input type="checkbox"/> 5010048 | Failure to resolve all issues identified in the hazard review before startup of the changed process. 19 CCR 4.5 2755.2(f)                 |
| <input type="checkbox"/> 5010124 | Failure to revalidate hazard review only once between full hazard reviews. 19 CCR 4.5 2755.2(g)   |
| <input type="checkbox"/> 5010125 | Failure to retain all hazard reviews, updates/revalidations, and documented resolution of recommendations. 19 CCR 4.5 2755.2(h)           |

##### OPERATING PROCEDURE

- | #                                | VIOLATION DESCRIPTION   |
|----------------------------------|---|
| <input type="checkbox"/> 5010049 | Failure to prepare written operating procedures that provide clear instructions for each covered process. 19 CCR 4.5 2755.3(a)(b) |
| <input type="checkbox"/> 5010050 | Failure to ensure that operating procedures are developed/updated as necessary. 19 CCR 4.5 2755.3(c)                              |

##### TRAINING

- | #                                | VIOLATION DESCRIPTION   |
|----------------------------------|---|
| <input type="checkbox"/> 5020001 | Failure to ensure employees operating a process have been trained or tested competent in the operating procedures. 19 CCR 4.5 2755.4(a)               |
| <input type="checkbox"/> 5020002 | Failure to, at least every 3 years, provide refresher training on operating procedures to employees operating a covered process. 19 CCR 4.5 2755.4(b) |
| <input type="checkbox"/> 5020003 | Failure to ensure operators are trained in updated or new procedures prior to using the procedures. 19 CCR 4.5 2755.4(d)                              |
| <input type="checkbox"/> 5020011 | Failure to document initial and refresher training. 19 CCR 4.5 2755.4(e)  |

##### MAINTENANCE

- | #                                | VIOLATION DESCRIPTION   |
|----------------------------------|---|
| <input type="checkbox"/> 5010051 | Failure to prepare and implement written procedures to maintain the mechanical integrity of the process equipment. 19 CCR 4.5 2755.5(a) |



# COUNTY OF SAN DIEGO

## COMPLIANCE INSPECTION REPORT

INSPECTION DATE: **03/12/2021**

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RECORD ID #: \_\_\_\_\_

### CalARP Program 2 (continued)

- 5020004 Failure to train employees conducting covered process maintenance on the requirements in Section 2755.5(b). 19 CCR 4.5 2755.5(b)
- 5020005 Failure to document that contract employees are trained to perform the maintenance procedures. 19 CCR 4.5 2755.5(c)
- 5030001 Failure to perform appropriate maintenance inspections and tests according to Section 2755.5(d). 19 CCR 4.5 2755.5(d)

#### COMPLIANCE AUDITS

#

##### VIOLATION DESCRIPTION

- 5010052 Failure to certify the evaluation of compliance with Program Level 2 provisions at least every three years. 19 CCR 4.5 2755.6(a)
- 5010053 Failure to conduct the compliance audit by at least one person knowledgeable in the process. 19 CCR 4.5 2755.6(b)
- 5010054 Failure to develop a report of the compliance audit findings. 19 CCR 4.5 2755.6(c)
- 5010055 Failure to promptly determine and document response to audit findings, including correction of deficiencies. 19 CCR 4.5 2755.6(d)
- 5010056 Failure to retain the two most recent compliance audit reports. 19 CCR 4.5 2755.6(e)

#### INCIDENT INVESTIGATIONS

#

##### VIOLATION DESCRIPTION

- 5010057 Failure to investigate each incident that resulted or could reasonably have resulted in a catastrophic release. 19 CCR 4.5 2755.7(a)
- 5010058 Failure to initiate incident investigations within 48 hours of the incident. 19 CCR 4.5 2755.7(b)
- 5010059 Failure to prepare a summary of the investigation at the conclusion of the investigation. 19 CCR 4.5 2755.7(c)
- 5010060 Failure to promptly address and resolve the investigation findings and recommendations. 19 CCR 4.5 2755.7(d)
- 5010062 Failure to review the incident investigation findings with all affected personnel. 19 CCR 4.5 2755.7(e)
- 5010063 Failure to retain investigation summaries for five years. 19 CCR 4.5 2755.7(f)



# COUNTY OF SAN DIEGO

## COMPLIANCE INSPECTION REPORT California Accidental Release Prevention (CalARP) Program 3

INSPECTION DATE: **03/12/2021**PAGE **7** OF **9**

RECORD ID #: \_\_\_\_\_

*VIOLATION REPORT: Each violation checked below is for the section(s) of the California Health and Safety Code (HSC), California Code of Regulations (CCR), or the San Diego County Code (SDCC) indicated in italics. Incorporated provisions of Title 40 of the Code of Federal Regulations (CFR) and Title 42 of the United States Code (USC) are noted for reference. All violations must be corrected. Submit documentation of return to compliance to your Specialist. You may use the Corrective Action Form (HM-926) to document your return to compliance. Please call (858) 505-6880 or your Specialist if you have any questions. Administering Agency (AA); process hazard analysis (PHA); process safety information (PSI); emergency response (ER); regulated substance (RS); stationary source (SS); threshold quantity (TQ)*

### GENERAL APPLICABILITY & COORDINATION

#	VIOLATION DESCRIPTION
<input type="checkbox"/> 5030005	Failure to identify hazards that may result from releases, design and maintain a safe facility or minimize the consequences of an accidental release. HSC 25531.2(b)
<input type="checkbox"/> 5010001	Failure to comply with CalARP provisions when having a regulated substance in a process listed in Table 1/2. 19 CCR 4.5 2735.4(a)(1)
<input type="checkbox"/> 5010002	Failure to comply with the appropriate provisions of 19 CCR 4.5 prior to the date in which a regulated substance is first present in a process above the listed threshold quantity, as listed in Table 3 of Section 2770.5. 19 CCR 4.5 2735.4(a)(2)
<input type="checkbox"/> 5010003	Failure to comply with CalARP provisions when having a regulated substance in a process listed in Table 1/2 and 3. 19 CCR 4.5 2735.4(a)(3)
<input type="checkbox"/> 5010004	Failure to closely coordinate with the CUPA to implement the CalARP requirements. 19 CCR 4.5 2735.5(a)
<input type="checkbox"/> 5010120	Failure to coordinate with CUPA to ensure appropriate technical standards are applied to implement CalARP. 19 CCR 4.5 2785.1(a)
<input type="checkbox"/> 5010121	Failure to request assistance from the CUPA when necessary to address compliance/safety issues with CalARP. 19 CCR 4.5 2785.1(b)

### MANAGEMENT SYSTEM

#	VIOLATION DESCRIPTION
<input type="checkbox"/> 5010009	Failure to develop a management system to oversee the implementation of the risk management program elements. 19 CCR 4.5 2735.6(a)
<input type="checkbox"/> 5010010	Failure to assign a QUALIFIED PERSON or position who has the overall responsibility for the risk management program elements. 19 CCR 4.5 2735.6(b)
<input type="checkbox"/> 5010011	Failure to document the names or positions and lines of authority through an organization chart or similar document. 19 CCR 4.5 2735.6(c)

### RMP COMPONENTS AND SUBMISSION

#### RMP SUBMISSION

#	VIOLATION DESCRIPTION
<input type="checkbox"/> 5010007	Failure to submit a RMP which includes all requirements in Section 2745.3 through 2745.9. 19 CCR 4.5 2735.5(b)(1), 2745.1(a)
<input type="checkbox"/> 5010016	Failure to submit the RMP information required by the USEPA to the USEPA. 19 CCR 4.5 2745.1(b)(1), 2745.1(b)(2)
<input type="checkbox"/> 5010017	Failure to submit the RMP information required by the USEPA to the CUPA. 19 CCR 4.5 2745.1(c)
<input type="checkbox"/> 5010018	Failure of a stationary source to submit a Risk Management Plan to the CUPA after the owner or operator has received a notice from the CUPA requesting submission of a Risk Management Plan. HSC 6.95 25536(b)
<input type="checkbox"/> 5010019	Failure to submit an RMP to the CUPA prior to the date a RS is in a process above the TQ. 19 CCR 4.5 2745.1(d)
<input type="checkbox"/> 5010020	Failure to exclude classified information from the RMP. 19 CCR 4.5 2745.1(h)

#### RMP CERTIFICATION

#	VIOLATION DESCRIPTION
<input type="checkbox"/> 5010021	Failure to ensure that the RMP is certified complete by a QUALIFIED PERSON and the stationary source owner or operator. 19 CCR 4.5 2745.2(a)
<input type="checkbox"/> 5010024	Failure to submit in the RMP the certification statement provided in Section 2745.9(b).

#### RMP UPDATES

#	VIOLATION DESCRIPTION
<input type="checkbox"/> 5010025	Failure to revise, update, and submit the RMP to the USEPA and CUPA per timelines in Section 2745.10(a). 19 CCR 4.5 2745.10(a)
<input type="checkbox"/> 5010026	Failure to revise, update, and submit the RMP to the USEPA and CUPA per timelines in Section 2745.10(b). 19 CCR 4.5 2745.10(b)
<input type="checkbox"/> 5010027	Failure to submit a de-registration to the USEPA and CUPA within six months of the regulated substance removal. 19 CCR 4.5 2745.10(c)
<input type="checkbox"/> 5010028	Failure to submit a de-registration to the CUPA within six months of the regulated substance removal. 19 CCR 4.5 2745.10(d)
<input type="checkbox"/> 5010029	Failure to contact the CUPA within 30 days of a change of owner or operator to update the registration. 19 CCR 4.5 2745.10(f)

#### RMP CORRECTIONS

#	VIOLATION DESCRIPTION
<input type="checkbox"/> 5010030	Failure to correct and submit the data required in the RMP under sections 2745.5, 2745.6(j), and 2745.7(1) (New Accident History). 19 CCR 4.5 2745.10.5(a)
<input type="checkbox"/> 5010031	Failure to correct and submit the EMERGENCY CONTACT information in the RMP within one month of any change. 19 CCR 4.5 2745.10.5(b)

#### COVERED PROCESS MODIFICATION

#	VIOLATION DESCRIPTION
<input type="checkbox"/> 5010032	Failure to notify the CUPA in writing of the intent to modify the stationary source at least five calendar days before implementing any modifications or no later than 48 hours following the modification if prenotification is not reasonable. 19 CCR 4.5 2745.11(a)(1)
<input type="checkbox"/> 5010033	Failure to establish procedures to manage the proposed modification, which shall be substantially similar to the procedures specified in Sections 2760.6 and 2760.7, and notify the CUPA that the procedures have been established. 19 CCR 4.5 2745.11(a)(2)
<input type="checkbox"/> 5010262	Failure to revise documents as required pursuant to section 2745.11(a) at a modified stationary source. 19 CCR 4.5 2645.11(b)

#### CERTIFICATE OF OCCUPANCY

#	VIOLATION DESCRIPTION
<input type="checkbox"/> 5010034	Failure to comply with Government Code Section 65850.2(b) prior to issuance of a certificate of occupancy. 19 CCR 4.5 2745.12

#### RMP REVIEW

#	VIOLATION DESCRIPTION
<input type="checkbox"/> 5010022	Failure to correct deficiencies within 60 calendar days from receipt of the notification of RMP deficiencies. 19 CCR 4.5 2745.2(b)(1)



# COUNTY OF SAN DIEGO

## COMPLIANCE INSPECTION REPORT

### CalARP Program 3 (continued)

#### REGISTRATION

- | #                                | <u>VIOLATION DESCRIPTION</u>  |
|----------------------------------|---|
| <input type="checkbox"/> 5010008 | Failure to include a registration in the RMP that reflects all covered processes. 19 CCR 4.5 2735.5(b)(2)                         |
| <input type="checkbox"/> 5010012 | Failure to complete the registration information and submit it with the RMP to the USEPA and the CUPA. 19 CCR 4.5 2740.1(a)       |
| <input type="checkbox"/> 5010013 | Failure to complete the REGISTRATION information and submit it with the RMP to the CUPA.  |
| <input type="checkbox"/> 5010014 | Failure to submit a registration with a certification of accuracy to the CUPA prior to submittal of the RMP. 19 CCR 4.5 2740.1(c) |
| <input type="checkbox"/> 5010015 | Failure to include the data required in Section 2740.1(d)(1) through (d)(20) in the registration. 19 CCR 4.5 2740.1(d)            |

#### HAZARD ASSESSMENT

- | #                                | <u>VIOLATION DESCRIPTION</u>  |
|----------------------------------|---|
| <input type="checkbox"/> 5010037 | Failure to conduct a hazard assessment that complies with Sections 2750.2 through 2750.9. 19 CCR 4.5 2750.1 |

#### RECORDKEEPING

- | #                                | <u>VIOLATION DESCRIPTION</u>  |
|----------------------------------|---|
| <input type="checkbox"/> 5010119 | Failure to maintain records supporting the implementation of CalARP for five years unless otherwise provided. 19 CCR 4.5 2775.1 |

#### EMERGENCY RESPONSE PROGRAM - NON-RESPONDING FACILITIES

- | #                                | <u>VIOLATION DESCRIPTION</u>  |
|----------------------------------|---|
| <input type="checkbox"/> 5010115 | Failure of a stationary source, whose employees will not respond to releases, to meet all applicable requirements. 19 CCR 4.5 2765.1(b) |

#### EMERGENCY RESPONSE PROGRAM - RESPONDING FACILITIES

- | #                                | <u>VIOLATION DESCRIPTION</u>  |
|----------------------------------|---|
| <input type="checkbox"/> 5010116 | Failure of a stationary source to develop and implement an emergency response program according to Section 2765.2(a). 19 CCR 4.5 2765.2(a)  |
| <input type="checkbox"/> 5010117 | Failure to coordinate the emergency response plan with the community emergency response plan developed under Section 11003 of Title 42 of the United States Code. 19 CCR 4.5 2765.2(c)                |
| <input type="checkbox"/> 5010118 | Failure of a stationary source to, upon request, provide LEPC or emergency response officials information for developing and implementing the community emergency response plan. 19 CCR 4.5 2765.2(c) |

#### PROGRAM 3 PREVENTION PROGRAM

##### PROCESS SAFETY INFORMATION (PSI)

- | #                                | <u>VIOLATION DESCRIPTION</u>   |
|----------------------------------|--|
| <input type="checkbox"/> 5010064 | Failure to compile and maintain up-to-date written process safety information pertaining to the hazards of the regulated substance in the process. 19 CCR 4.5 2760.1(a)(b) |
| <input type="checkbox"/> 5010065 | Failure to compile and maintain up-to-date written process safety information concerning the technology of the process. 19 CCR 4.5 2760.1(a)(c)                            |
| <input type="checkbox"/> 5010066 | Failure to compile and maintain up-to-date written process safety information pertaining to the equipment in the process. 19 CCR 4.5 2760.1(a)(d)(1)                       |
| <input type="checkbox"/> 5010067 | Failure to document that equipment complies with recognized and generally accepted good engineering practices. 19 CCR 4.5 2760.1(d)(2)                                     |
| <input type="checkbox"/> 5010068 | Failure to document that equipment is designed, maintained, inspected, tested, and operating in a safe manner. 19 CCR 4.5 2760.1(d)(3)                                     |

##### PROCESS HAZARD ANALYSIS (PHA)

- | #                                | <u>VIOLATION DESCRIPTION</u>   |
|----------------------------------|--|
| <input type="checkbox"/> 5010069 | Failure to conduct an initial Process Hazard Analysis on the covered processes no later than the date of submittal of the Risk Management Plan. 19 CCR 4.5 2760.2(a) |
| <input type="checkbox"/> 5010070 | Failure to perform a Process Hazard Analysis that is appropriate for the complexity of the process. 19 CCR 4.5 2760.2(a)   |
| <input type="checkbox"/> 5010072 | Failure to work with the CUPA in deciding which Process Hazard Analysis methodology is best to determine the process hazards. 19 CCR 4.5 2760.2(b)                   |
| <input type="checkbox"/> 5010073 | Failure to use one or more Process Hazard Analysis methodologies in Section 2760.2(b) to determine and evaluate the process hazards. 19 CCR 4.5 2760.2(b)            |
| <input type="checkbox"/> 5010074 | Failure of the Process Hazard Analysis to address all requirements in Section 2760.2(c). 19 CCR 4.5 2760.2(c)  |
| <input type="checkbox"/> 5010075 | Failure to perform the Process Hazard Analysis by a team with expertise, experience, and knowledge in the process and the PHA methodology. 19 CCR 4.5 2760.2(d)      |
| <input type="checkbox"/> 5010076 | Failure to address all requirements in PHA Section 2760.2(e). 19 CCR 4.5 2760.2(e)   |
| <input type="checkbox"/> 5010077 | Failure to update and revalidate the Process Hazard Analysis every five years after the completion of the initial PHA. 19 CCR 4.5 2760.2(f)                          |
| <input type="checkbox"/> 5010078 | Failure to retain all Process Hazard Analysis updates/revalidations, and documented resolution of recommendations. 19 CCR 4.5 2760.2(g)                              |

##### OPERATING PROCEDURES

- | #                                | <u>VIOLATION DESCRIPTION</u>   |
|----------------------------------|--|
| <input type="checkbox"/> 5010079 | Failure to prepare written operating procedures that provide clear instructions for each covered process. 19 CCR 4.5 2760.3(a)           |
| <input type="checkbox"/> 5010080 | Failure to develop and implement written operating procedures that address the elements in Section 2760.3(a)(1). 19 CCR 4.5 2760.3(a)(1) |
| <input type="checkbox"/> 5010081 | Failure to develop and implement written operating procedures that address elements in Section 2760.3(a)(2). 19 CCR 4.5 2760.3(a)(2)     |
| <input type="checkbox"/> 5010082 | Failure to develop and implement written operating procedures that address elements in Section 2760.3(a)(3). 19 CCR 4.5 2760.3(a)(3)     |
| <input type="checkbox"/> 5010083 | Failure to develop and implement written operating procedures that address elements in Section 2760.3(a)(4). 19 CCR 4.5 2760.3(a)(4)     |
| <input type="checkbox"/> 5010084 | Failure to make operating procedures readily accessible to employees who work in or maintain a process. 19 CCR 4.5 2760.3(b)             |
| <input type="checkbox"/> 5010085 | Failure to review operating procedures to assure they reflect current operating practice. 19 CCR 4.5 2760.3(c)                           |
| <input type="checkbox"/> 5010086 | Failure to certify annually that the operating procedures are current and accurate. 19 CCR 4.5 2760.3(c)                                 |
| <input type="checkbox"/> 5010087 | Failure to develop and implement safe work practices to provide control of hazards during operations. 19 CCR 4.5 2760.3(d)               |



# COUNTY OF SAN DIEGO

## COMPLIANCE INSPECTION REPORT

### CalARP Program 3 (continued)

#### TRAINING

- # VIOLATION DESCRIPTION
- 5020006 Failure to train employees involved in operating a process on requirements in Section 2760.4. 19 CCR 4.5 2760.4(a)
  - 5020007 Failure to provide employees operating a process refresher training on operating procedures every three years. 19 CCR 4.5 2760.4(b)
  - 5020008 Failure to prepare training records that identify the employee, training date, and means to verify training was understood. 19 CCR 4.5 2760.4(c)

#### MECHANICAL INTEGRITY

- # VIOLATION DESCRIPTION
- 5010088 Failure to establish and implement written procedures to maintain the on-going integrity of the process equipment. 19 CCR 4.5 2760.5(b)
  - 5020009 Failure to train employees conducting mechanical integrity on the requirements in Section 2760.5(c). 19 CCR 4.5 2760.5(c)
  - 5030002 Failure to implement mechanical integrity inspections and testing performed according to Section 2760.5(d). 19 CCR 4.5 2760.5(d)
  - 5030003 Failure to correct deficiencies in equipment that are outside acceptable limits. 19 CCR 4.5 2760.5(e)
  - 5030004 Failure to comply with quality assurance requirements in Section 2760.5(f). 19 CCR 4.5 2760.5(f)

#### MANAGEMENT OF CHANGE (MOC)

- # VIOLATION DESCRIPTION
- 5010089 Failure to establish and implement written procedures to manage changes to a covered process. 19 CCR 4.5 2760.6(a)
  - 5010090 Failure to ensure management of change considerations address all requirements in Section 2760.6(b). 19 CCR 4.5 2760.6(b)
  - 5020010 Failure to ensure employees and contractors involved in operating and maintaining a changed process are informed and trained in any changes. 19 CCR 4.5 2760.6(c)
  - 5010091 Failure to update process safety information if a management of change occurred that resulted in a change in the PSI. 19 CCR 4.5 2760.6(d)
  - 5010092 Failure to update operating/maintenance procedures if a management of change occurred that resulted in a change in the operating/maintenance procedures. 19 CCR 4.5 2760.6(e)

#### PRE-STARUP SAFETY REVIEW

- # VIOLATION DESCRIPTION
- 5010093 Failure to perform a pre-startup safety review when the modification required a change in the PSI. 19 CCR 4.5 2760.7(a)
  - 5010094 Failure to ensure pre-startup safety review addresses requirements in Section 2760.7(b) prior to introduction of a regulated substance. 19 CCR 4.5 2760.7(b)

#### COMPLIANCE AUDITS

- # VIOLATION DESCRIPTION
- 5010095 Failure to certify and evaluate compliance with the provisions of this article at least every three years. 19 CCR 4.5 2760.8(a)
  - 5010096 Failure to ensure compliance audit conducted by at least one person knowledgeable in the process. 19 CCR 4.5 2760.8(b)
  - 5010097 Failure to develop a report of the scope, methods used, results and findings of the compliance audit. 19 CCR 4.5 2760.8(c)
  - 5010098 Failure to promptly determine and document responses to compliance audit findings, including correction of deficiencies. 19 CCR 4.5 2760.8(d)
  - 5010099 Failure to retain the two most recent compliance audit reports. 19 CCR 4.5 2760.8(e)

#### INCIDENT INVESTIGATIONS

- # VIOLATION DESCRIPTION
- 5010100 Failure to investigate each incident that resulted or could reasonably have resulted in a catastrophic release. 19 CCR 4.5 2760.9(a)
  - 5010101 Failure to initiate an incident investigation as promptly as possible, but not later than 48 hours following the incident. 19 CCR 4.5 2760.9(b)
  - 5010102 Failure to establish an incident investigation team that consists of a person with knowledge and experience in the process. 19 CCR 4.5 2760.9(c)
  - 5010103 Failure to prepare an incident investigation report that includes all requirements in Section 2760.9(d). 19 CCR 4.5 2760.9(d)
  - 5010104 Failure to establish a system to promptly address and resolve the incident investigation findings and recommendations. 19 CCR 4.5 2760.9(e)
  - 5010105 Failure to review the incident investigation report with all affected personnel. 19 CCR 4.5 2760.9(f)
  - 5010106 Failure to retain incident investigation reports for five years. 19 CCR 4.5 2760.9(g)

#### EMPLOYEE PARTICIPATION

- # VIOLATION DESCRIPTION
- 5010107 Failure to develop a written plan of action regarding the implementation of employee participation. 19 CCR 4.5 2760.10(a)
  - 5010108 Failure to consult with employees/representatives on conduct and development of the PHA and applicable PSM elements. 19 CCR 4.5 2760.10(b)
  - 5010109 Failure to provide employees/representatives with access to the PHA and all other CalARP information. 19 CCR 4.5 2760.10(c)

#### HOT WORK PERMIT

- # VIOLATION DESCRIPTION
- 5010110 Failure to issue a hot work permit for hot work operations conducted on or near a covered process. 19 CCR 4.5 2760.11(a)
  - 5010111 Failure to ensure the hot work permit documents all requirements in Section 2760.11(b). 19 CCR 4.5 2760.11(b)
  - 5010112 Failure to keep hot work permit on file until completion of the hot work operations. 19 CCR 4.5 2760.11(b)

#### CONTRACTORS

- # VIOLATION DESCRIPTION
- 5010113 Failure to comply with all contractor requirements in Section 2760.12(b). 19 CCR 4.5 2760.12(b)
  - 5010114 Failure to periodically evaluate the performance of the CONTRACT owner or operator in fulfilling requirements in Section 2760.12(c). 19 CCR 4.5 2760.12(c)