

February 20, 2025

Royce Long
CUPA Manager
City of Los Angeles Fire Department
Bureau of Fire Prevention and Public Safety
200 North Main Street, Room 1780
Los Angeles, California 90012-4126

Dear Mr. Long:

During October 2023, through July 2024, CalEPA and the Unified Program state agencies conducted a performance evaluation of the City of Los Angeles Fire Department Certified Unified Program Agency (CUPA). The CUPA evaluation included a remote assessment of administrative documentation, review of regulated facility file documentation, California Environmental Reporting System information, and oversight inspections.

Upon completion of the evaluation, no program deficiencies were identified. A preliminary Summary of Findings report was developed to identify incidental findings with resolutions and program observations and recommendations. The report also includes acknowledgement of accomplishments and challenges, as well as examples of outstanding Unified Program implementation. Enclosed, please find the final Summary of Findings report.

Based upon review and completion of the performance evaluation, CalEPA has rated the CUPA's overall implementation of the Unified Program as meets or exceeds. I commend you and your team in the successful implementation of the Unified Program despite the numerous challenges over the past few years, including the response and management efforts of the Coronavirus (COVID-19) pandemic. The CUPA has managed to do an exemplary job of keeping up with a desirable Unified Program performance rating.

To demonstrate progress towards the resolution of incidental findings identified in the final Summary of Findings report, the CUPA must submit an Evaluation Progress Report approximately 90 days from the date of this letter. Thereafter, the CUPA will submit each subsequent Evaluation Progress Report to CalEPA in accordance with the specified date provided in the Evaluation Progress Report response, until all deficiencies and incidental findings identified have been acknowledged as corrected or resolved by each issuing state agency. An Evaluation Progress Report template will be provided by the CalEPA Team Lead. Each Evaluation Progress Report must be submitted to the CalEPA Team Lead, Kaeleigh Pontif, via email at Kaeleigh.Pontif@calepa.ca.gov, or uploaded to the established SharePoint website.

Thank you for your continued commitment to the protection of public health and the environment through the implementation of the Unified Program.

To ensure the CUPA Performance Evaluation process is as effective and efficient as intended, I kindly request the included evaluation survey to be completed and returned to Melinda Blum, at Melinda.blum@calepa.ca.gov. If you would like to have specific comments remain anonymous, please indicate so on the survey.

If you have any questions or need further assistance, please contact Melinda Blum at Melinda.Blum@calepa.ca.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jason Boetzer".

Jason Boetzer
Deputy Secretary
Local Program Coordination and Emergency Response

Enclosure

cc sent via email:

David Perez
Fire Marshal
City of Los Angeles Fire Department
Bureau of Fire Prevention and Public Safety
200 North Main Street, Room 1780
Los Angeles, California 90012-4126

Kairi Brown
Assistant Fire Marshal, Assistant Chief
City of Los Angeles Fire Department
Bureau of Fire Prevention and Public Safety
200 North Main Street, Room 1780
Los Angeles, California 90012-4126

Cody Weireter, Captain
City of Los Angeles Fire Department
Bureau of Fire Prevention and Public Safety
200 North Main Street, Room 1780
Los Angeles, California 90012-4126

cc sent via email:

Roman Sanchez, Captain
City of Los Angeles Fire Department
Bureau of Fire Prevention and Public Safety
200 North Main Street, Room 1780
Los Angeles, California 90012-4126

Minh Le
Hazardous Materials Supervisor
City of Los Angeles Fire Department
Bureau of Fire Prevention and Public Safety
200 North Main Street, Room 1780
Los Angeles, California 90012-4126

Maria Lozano
City of Los Angeles Fire Department
Bureau of Fire Prevention and Public Safety
200 North Main Street, Room 1780
Los Angeles, California 90012-4126

Steven Hamilton
City of Los Angeles Fire Department
Bureau of Fire Prevention and Public Safety
200 North Main Street, Room 1780
Los Angeles, California 90012-4126

Tom Henderson
UST Leak Prevention Unit and
Office of Tank Tester Licensing Manager
State Water Resources Control Board

Julie Pettijohn
Environmental Program Manager
CUPA Enforcement Branch
Department of Toxic Substances Control

Ryan Miya, Ph.D.
Senior Environmental Scientist, Supervisor
Department of Toxic Substances Control

Jennifer Lorenzo
Senior Environmental Scientist, Supervisor
CAL FIRE - Office of the State Fire Marshal

Mary Wren-Wilson
Environmental Scientist
CAL FIRE - Office of the State Fire Marshal

cc sent via email:

Denise Villanueva
Environmental Scientist
CAL FIRE - Office of the State Fire Marshal

Brennan Ko-Madden
Senior Environmental Scientist
Department of Toxic Substances Control

Pheleep Sidhom
Environmental Scientist
Department of Toxic Substances Control

Kaitlin Cottrell
Environmental Scientist
State Water Resources Control Board

Magnolia Busse
Environmental Scientist
State Water Resources Control Board

John Paine
Unified Program Manager
California Environmental Protection Agency

John Elkins
Environmental Program Manager
California Environmental Protection Agency

Elizabeth Brega
Senior Environmental Scientist, Supervisor
California Environmental Protection Agency

Melinda Blum
Senior Environmental Scientist, Supervisor
California Environmental Protection Agency

Garett Chan
Environmental Scientist
California Environmental Protection Agency

Julie Unson
Environmental Scientist
California Environmental Protection Agency

Royce Long
Page 5

cc sent via email:

Kaeleigh Pontif
Unified Program Evaluation Team Lead
California Environmental Protection Agency

UNIFIED PROGRAM PERFORMANCE EVALUATION
FINAL SUMMARY OF FINDINGS REPORT

CUPA: City of Los Angeles Fire Department

Evaluation Period: October 2023 through July 2024

Evaluation Team Members:

- **CalEPA Team Lead:** Kaeleigh Pontif
- **CalEPA:** Garrett Chan, Julie Unson
- **DTSC:** Brennan Ko-Madden, Pheleep Sidhom
- **State Water Board:** Kaitlin Cottrell, Magnolia Busse
- **CAL FIRE-OSFM:** Glenn Warner

This Final Summary of Findings includes:

- Accomplishments, Examples of Outstanding Implementation, and Challenges
- Incidental findings requiring resolution
- Observations and recommendations

The findings contained within this evaluation report are considered final. The Unified Program implementation and performance of the CUPA is considered meets or exceeds Unified Program standards.

Questions or comments regarding this evaluation should be directed to the CalEPA Team Lead:

Kaeleigh Pontif
CalEPA Unified Program
Phone: (916) 803-0623
E-mail: Kaeleigh.Pontif@calepa.ca.gov

The CUPA shall submit each Evaluation Progress Report to CalEPA in accordance with the specified date provided in the Final Summary of Findings Report or Evaluation Progress Report response. For each identified deficiency and incidental finding, the CUPA shall complete the corrective action and resolution as indicated to demonstrate sufficient implementation of the Unified Program as required by regulation or statute. The Evaluation Progress Report process will continue until all deficiencies and incidental findings have been acknowledged as corrected or resolved by each issuing Unified Program state agency.

Each Evaluation Progress Report must be submitted to the CalEPA Team Lead via email at Kaeleigh.Pontif@calepa.ca.gov or uploaded to the established SharePoint website. A narrative stating the status of correcting each deficiency and resolving each incidental finding identified in this Final Summary of Findings Report, and any applicable supporting documentation must be included in each Evaluation Progress Report.

The submittal date for the 1st Evaluation Progress Report is **April 21, 2025**.

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

UNIFIED PROGRAM PERFORMANCE EVALUATION FINAL SUMMARY OF FINDINGS REPORT

ACCOMPLISHMENTS, CHALLENGES, AND EXAMPLES OF OUTSTANDING IMPLEMENTATION

Various accomplishments, outstanding efforts, and challenges that impact and/or enhance the overall ability of the CUPA to implement the Unified Program. Recognition of aspects such as response to local emergency declarations and statewide recovery efforts, which illustrate the accomplishments and challenges the CUPA manages in the efforts to continue implementation of the Unified Program.

1. COLLABORATION WITH PARTICIPATING AGENCY (PA) FOR IMPLEMENTATION OF HAZARDOUS WASTE GENERATOR (HWG) PROGRAM AND TIERED PERMITTING (TP):

The CUPA oversees the implementation of the HWG Program, including the TP component of the HWG Program, by the Los Angeles County Fire Department as a PA. The Los Angeles County Fire Department PA is responsible for conducting HWG Program inspections and managing all inspection, violation, and enforcement information, also known as compliance, monitoring, and enforcement (CME) information.

The CUPA and the PA ensured nearly 100% of identified HWG facilities within the jurisdiction of the CUPA had been inspected between October 1, 2020, and September 30, 2023. The PA completed 10,447 routine HWG Program inspections, in some cases inspecting facilities more frequently than once every three years. The CUPA and PA have also ensured nearly 100% of violations cited between October 1, 2020, and September 30, 2023, have returned to compliance.

2. TRAINING AND ASSISTANCE PROVIDED TO UNIFIED PROGRAM AGENCIES

The CUPA has demonstrated outstanding achievement not only through implementation of the Unified Program and oversight of the Los Angeles County Fire Department PA, but also through leadership and support of CUPAs across the state. In addition to offering advisory support to numerous Unified Program Agencies (UPAs), the CUPA has played a key role in contributing to statewide program improvement developing local enforcement programs and providing Hazardous Materials Business Plan (HMBP) and California Accidental Release Prevention (CalARP) training to the City of Torrance, providing enforcement training to the City of Long Beach, and providing specialized onsite CalARP training to CalEPA.

The CUPA has made significant contributions at the state level and continues to lead numerous sessions at the Unified Program Annual Training Conference, including HMBP 101 and 201, the Drone Program, Managers Workshop, and a case study on the Boyd Street Incident of 2020. The CUPA further exemplifies expertise in hazardous materials management and leadership by providing training on the Drone Program at the Continuing Challenge Hazardous Materials Emergency Response Workshop.

3. CUPA PARTICIPATION:

The CUPA remains an active participant in various Unified Program workgroups and committees, dedicating a significant amount of time towards the enhancement of the Unified Program. The CUPA Manager serves as a current member of the CUPA Forum Board and fulfills a leadership role in the planning and organizing of the Unified Program Annual Training Conference. In addition, the CUPA actively provides representation in the following Unified Program related groups:

- Los Angeles City Environmental Strike Force

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

UNIFIED PROGRAM PERFORMANCE EVALUATION FINAL SUMMARY OF FINDINGS REPORT

- Unified Program Administration and Advisory Group (UPAAG) Enforcement Technical Advisory Group (TAG)
 - UPAAG Data Steering Committee
 - UPAAG California Environmental Reporting System (CERS) NextGen Advisory Board
 - California Hazardous Materials Investigators Association (CHMIA)
 - Underground Storage Tank (UST) Chapter 16 Rewrite Advisory Committee
 - Aboveground Petroleum Storage Act (APSA) Advisory Committee
 - HMBP Steering Committee
 - CalARP TAG
 - Region I Local Emergency Planning Committee (LEPC)
 - CalARP Violation Library Workgroup
 - CalARP Program 4 (Refineries) TAG
 - Interagency Refinery Task Force (IRTF)
-

4. UST CHAPTER 16 RE-WRITE:

The State Water Resources Control Board (State Water Board) is currently rewriting California Code of Regulations (CCR), Title 23, Division 3, Chapter 16 in preparation for the permanent closure requirements of all single-walled USTs. The State Water Board created a regulation vetting workgroup consisting of numerous UST experts from both the public and private sector to assist in the development of the revised regulatory language. The CUPA ensured the participation of a UST inspector to actively contribute to the workgroup. The time commitment as a participant in the workgroup was estimated to be a minimum of four hours a week for 12 weeks. Though the additional time commitment to participate in the workgroup detracted from the time allocated to conduct regular inspection and enforcement duties, having a UST inspector participate in the re-write effort provided invaluable assistance to the development of the Chapter 16 regulation revisions for the UST community.

5. SINGLE-WALLED TANK OUTREACH:

On October 26, 2022, the CUPA hosted a Single-walled UST Information Session webinar for UST owners and operators, providing critical information on which systems are subject to permanent closure, information on available financial assistance, and an overview of the CUPA's plan check and permitting process. In addition, the CUPA's webpage has been updated with valuable resources to help businesses navigate the compliance process, and reminders about the single-walled tank compliance deadline have been integrated into UST inspection reports. Continued outreach efforts of the CUPA in advance of the December 31, 2025, single-walled UST removal deadline is crucial to the timely and efficient removal of these systems.

6. APSA PROGRAM IMPLEMENTATION:

The CUPA met the mandated triennial inspection frequency for APSA tank facilities storing 10,000 gallons or more of petroleum.

The CUPA ensured APSA tank facilities annually submitted a tank facility statement or an HMBP, when an HMBP was provided in lieu of a tank facility statement, to CERS.

UNIFIED PROGRAM PERFORMANCE EVALUATION
FINAL SUMMARY OF FINDINGS REPORT

The CUPA also actively participated and continues to be involved in the APSA Advisory Committee, having a staff serve as a committee voting member to represent the California CUPA Forum Board Southern Region CUPAs.

7. EXEMPLARY SELF-AUDIT REPORTS:

The CUPA's annual Self-Audit Report is extensive and informative. The report provides a detailed discussion for all required components, including performance of each element of the Unified Program, PA performance, and financial review. The CUPA also utilizes visual means to present data, by incorporating charts, tables and graphs, financial statements, and transaction documents. Performing such a detailed self-audit has allowed the CUPA to identify areas where improvement is needed, how such improvement will be achieved, and where the CUPA is excelling in program implementation.

8. ENFORCEMENT EFFORTS:

The CUPA has demonstrated outstanding program achievement, particularly in its commitment to environmental justice and enforcement leadership with the City of Los Angeles. Since the 2020 CUPA Performance Evaluation, the CUPA has administered several formal enforcement orders relative to late submittals, and civil and administrative cases. A total of 328 enforcement cases were opened, 214 enforcement cases were closed, 27 enforcement cases were referred to the city attorney, and 8 enforcement cases were referred to the State Water Board's Office of Enforcement. The financial penalties of these formal enforcement efforts have resulted in obtaining the following supplemental revenues:

- Late submittal fees: \$46,000
- Civil fees: \$611,890
- Administrative fees: \$1,147,720

The CUPA streamlines enforcement efforts in a number of ways, including utilization of:

- an enforcement team,
- availability and processing of formal enforcement request forms,
- google apps script, which is a rapid application development platform that integrates with Google Workspace, and
- an Administrative Enforcement Order (AEO) Case Master.

Through these efforts, the CUPA is actively contributing to environmental justice within the city, especially in communities historically impacted by environmental inequities. These achievements set a strong example for enforcement leadership throughout the state.

9. RECIPIENT OF ENVIRONMENTAL EXCELLENCE AWARD:

The CUPA received the 2024 Industrial Environmental Association (IEA), Environmental Excellence Award. The award recognizes the innovation the CUPA applied to the digital deployment of PEAC-WEB, which is a web-based application that provides Los Angeles City Fire Department first responders, Hazmat Squads and the Joint Hazard Assessment Team with HAZMAT situational awareness and technical reference to CERS hazmat disclosure data during emergencies. This initiative represents a significant advancement in the delivery of critical hazmat

UNIFIED PROGRAM PERFORMANCE EVALUATION
FINAL SUMMARY OF FINDINGS REPORT

data to emergency response agencies, enhancing safety and operational efficiency during hazardous materials incidents.

Industry's recognition of this initiative to seamlessly deploy CERS hazmat data directly to first responders during a hazmat incident also served as an excellent outreach opportunity to demonstrate to California business leaders how the Unified Program, statewide, is using their disclosure data to protect public safety, first responders, and the environment.

10. IMPLEMENTATION OF HMBP REQUIREMENTS:

During the Coronavirus (COVID-19) pandemic, the CUPA participated in operating command posts for testing sites, resulting in challenges to ensure inspections at HMBP facilities were conducted.

The CUPA created a new position that is solely dedicated to identifying new businesses subject to the HMBP Program. The incumbent of the position is responsible for collaborating with the City of Los Angeles local assessor's office and business license department to provide HMBP Program information via email to newly licensed businesses and business applicants. To assist in identifying new businesses subject to the HMBP Program within the City of Los Angeles, non-CUPA personnel, including fire inspectors and emergency responders, are trained to determine if a business is not currently regulated and subject to the HMBP Program.

To assist the regulated community, the CUPA provides educational material and trainings. The CUPA webpage includes instructional HMBP videos covering topics such as creating CERS accounts, completing HMBP CERS submittal elements, and filing annual submittals or certifications. Twice a year the CUPA hosts trainings for environmental compliance contractors regarding HMBP compliance requirements and compliance resources offered by the CUPA.

Additionally, the CUPA integrates hazardous materials information from CERS into PEAC-WMD software to provide emergency responders with current information submitted by facilities regardless of whether the submittals have been processed by the CUPA. The PEAC-WMD software is readily available to emergency responders on mobile devices, and also provides current environmental contacts, the facility site map(s), and the hazardous materials inventory with an integrated dispersion model.

11. IMPLEMENTATION OF THE CALARP PROGRAM:

The CUPA has demonstrated outstanding achievement in advancing the CalARP Program with the recent development and utilization of a CERS data-mining method that identifies CalARP regulated chemicals using HMBP information, enabling the CUPA to proactively identify new CalARP sites within the City of Los Angeles, and ensure facilities that would not have otherwise been identified are regulated and in compliance with program requirements. The CUPA will present this recently developed CERS data-mining method at the 2025 Unified Program Annual Training Conference.

To further strengthen the implementation efforts of the CalARP Program, the CUPA successfully created the Process Safety Engineer classification, with two positions approved to fulfill in the upcoming fiscal year (FY). The Process Safety Engineer positions will focus on Program Level 3 and 4 facilities, which represent the most complex and high-risk operations, ensuring that these facilities meet rigorous safety standards as part of the CalARP Program.

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

**UNIFIED PROGRAM PERFORMANCE EVALUATION
FINAL SUMMARY OF FINDINGS REPORT**

In addition to these advancements, the CUPA remains a leader in providing CalARP Program support and training to both regulators and the regulated community. This includes active participation and instruction at key industry events such as the Unified Program Annual Training Conference, Cal/OSHA's Annual West Coast Process Safety Management (PSM) Conference, and specialized courses like PSM 3400 for chemical facilities.

The CUPA also places a strong emphasis on environmental justice and community engagement by providing training and education to local non-profit organizations. This includes collaboration with groups such as the Del Amo Action Alliance Committee and the Community Awareness Emergency Response (CAER) Committee, further demonstrating the CUPA's commitment to ensuring safety and environmental protection for all communities, particularly those historically impacted by industrial activity. Through these efforts, the CUPA continues to exhibit leadership and vision in both regulatory excellence and community outreach.

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

UNIFIED PROGRAM PERFORMANCE EVALUATION FINAL SUMMARY OF FINDINGS REPORT

INCIDENTAL FINDINGS AND RESOLUTIONS

An Incidental Finding is considered a minor deviation in implementation of the Unified Program from the expected standards set forth in statute or regulation. Commonly identified as a minor issue that may be problematic in implementation of one or more program elements, an Incidental Finding is not likely to have an impact on the safety and protection of human health and the environment.

1. INCIDENTAL FINDING:

The CUPA is not consistently citing nor requiring the correction of construction violations identified in State Water Board Local Guidance (LG) Letter 150, dated February 2021, at existing hazardous substance facilities.

Review of the CERS Facility/Tank Data Download information finds:

- 35 instances of hazardous substance tanks with single-walled vent and/or riser piping and an Overfill Prevention Equipment (OPE) exemption.
 - The following are examples:
 - CERS ID 10197985
 - CERS ID 10199113
 - CERS ID 10199929
 - CERS ID 10202440
 - CERS ID 10240150
- 4 instances of hazardous substance tanks with single-walled vent and/or riser piping with no OPE listed.
 - The following are examples:
 - CERS Tank ID 10241401-001
 - CERS Tank ID 10241587-004
 - CERS Tank ID 10253929-001
 - CERS Tank ID 10254037-002
- 2 instances of hazardous substance tanks with OPE listed as Ball float, with no audio/visual alarm.
 - The following are examples:
 - CERS Tank ID 10253098-004
 - CERS Tank ID 10241485-005
- 34 instances of hazardous substance tanks with OPE listed as Audio/Visual, with no ball float.
 - The following are examples:
 - CERS Tank ID 10145851-001
 - CERS Tank ID 10241614-004
 - CERS Tank ID 10152175-001

Note: The examples provided above does not represent all instances of this Incidental Finding. A spreadsheet containing all instances was provided to the CUPA on June 14, 2024.

CITATION:

CCR, Chapter 16, Sections 2631(a), 2636(a), and 2635(c)(1)
[State Water Board]

UNIFIED PROGRAM PERFORMANCE EVALUATION
FINAL SUMMARY OF FINDINGS REPORT

RESOLUTION:

By the 1st Progress Report, the CUPA will identify and provide CalEPA with a list of hazardous substance tanks (including the CERS ID and CERS UST Tank ID) which are incorrectly utilizing the OPE exemption, have no OPE listed, or have incomplete OPE.

The CUPA will provide written correspondence addressed to the UST facility owner(s) or operator(s) to inform the UST owner(s) or operator(s) of the requirement for installation of OPE, or to construct secondary containment for single-walled vent and tank risers. The written correspondence will include language stating that failure to comply with OPE requirements specified in CCR, Chapter 16, Section 2635(c)(1)(B) or (C), or secondary containment exemptions in CCR, Chapter 16, Section 2636(a) will lead to enforcement. The CUPA will include the State Water Board as a carbon copy recipient on the correspondence.

By the 2nd Progress Report, and with each subsequent Progress Report until considered corrected, the CUPA will provide CalEPA with an updated list, indicating the status of each UST obtaining compliance. If appropriate steps have not been taken by the UST owner(s) or operator(s) to remedy the construction violations, the CUPA will apply enforcement. The CUPA will provide CalEPA with documentation of the applied enforcement.

2. INCIDENTAL FINDING:

The CUPA is not consistently implementing proper UST temporary closure requirements.

Review of Report 6 and CERS information finds temporary closure requirements were not met for CERS UST Tank ID 10681312-004.

- Review of Report 6 information finds the following:
 - Reporting Period July – December 2022 reported February 3, 2023:
 - UST placed into temporary closure on September 9, 2022
 - Reporting Period January – June 2023 reported August 8, 2023
 - UST placed into temporary closure on September 9, 2022
 - Reporting Period July – December 2023 reported January 29, 2024
 - UST placed into temporary closure on September 9, 2022
 - UST placed in temporary closure has exceeded the 12-month limit without conducting a site assessment or brought back into compliance by the end of the temporary closure duration.
- Review of CERS information finds the following:
 - Routine inspection conducted August 10, 2023, does not cite any violations.
 - There are no accepted CERS submittals that accurately capture the temporary closure. The most recent submittal, dated February 7, 2024, was rejected by the CUPA.

Note: UST Regulations allow for a UST to be placed into temporary closure for twelve months, and only for an additional twelve months after a site investigation is conducted and prior approval is obtained from the CUPA. Additionally, a UST is only to be placed into temporary closure if it will return to operation after the duration of the temporary closure has ended. A UST is not to be placed into temporary closure as a means of postponing permanent closure.

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

**UNIFIED PROGRAM PERFORMANCE EVALUATION
FINAL SUMMARY OF FINDINGS REPORT**

CITATION:

HSC, Chapter 6.7, Sections 25293, 25298(b)
CCR, Chapter 16, Sections 2670(b), 2671(c), and 2672(d)
[State Water Board]

RESOLUTION:

By the 1st Progress Report, and with each subsequent progress report until considered corrected, the CUPA will provide CalEPA with a list of all USTs in temporary closure and the following documentation for each UST facility:

- CERS ID
- Facility address
- Date UST was placed into temporary closure
- Sampling assessment allowing extension of 12 months, if temporary closure extends beyond 12 months
- Annual UST compliance inspection reports
- Quarterly inspection reports conducted by the owner or operator, and
- Temporary closure permit

By the 1st Progress Report, the CUPA will review and revise the Inspection and Enforcement (I&E) Plan, or other applicable procedure, to ensure establishment of a process to correctly implement UST temporary closure requirements, which will include, at minimum:

- Issuing a temporary closure extension of no more than an additional 12 months only after the CUPA reviews and approves a site assessment conducted by the owner or operator or issuing a temporary closure permit that does extend beyond 12 months.
- Requiring documentation from the owner or operator to show inspections were conducted at least once every three months while the UST was in temporary closure.
- Reviewing the quarterly inspections during the UST compliance inspection to ensure the owner or operator is complying with the temporary closure permit requirements.
- Correctly reporting USTs in a temporary closure in CERS and Report 6, including the date in which the USTs were put in a temporary closure, and
- Putting only those USTs into temporary closure that are intended to be brought back into operation.

The CUPA will provide CalEPA with the revised I&E Plan, or other applicable procedure.

By the 2nd Progress Report, if amendments to the revised I&E Plan, or other applicable procedure, were necessary based on feedback from the State Water Board, the CUPA will provide CalEPA with the amended I&E Plan, or other applicable procedure. If no amendments are necessary, the CUPA will train UST inspection staff on the revised I&E Plan, or other applicable procedure. Once training is complete, the CUPA will implement the revised I&E Plan, or other applicable procedure and provide CalEPA with a statement that training has been conducted.

By the 3rd Progress Report, if amendments to the I&E Plan, or other applicable procedure, were necessary, the CUPA will train UST inspection staff on the amended I&E Plan, or other applicable procedure. Once training is complete, the CUPA will implement the amended I&E Plan, or other applicable procedure and provide CalEPA with a statement that training has been conducted.

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

UNIFIED PROGRAM PERFORMANCE EVALUATION
FINAL SUMMARY OF FINDINGS REPORT

The State Water Board will consider this Incidental Finding closed, but not resolved, when the CUPA:

- rescinds the temporary closure permits for USTs that exceed the regulatory requirements,
- Requires the UST owner(s) or operator(s) to return to compliance or obtain a UST permanent closure permit, and
- applies enforcement if the UST owner(s) or operator(s) do not comply.

The State Water Board will verify the CUPA is consistently implementing proper UST temporary closure requirements during the next CUPA Performance Evaluation.

Note: To comply with the December 31, 2025, single-walled UST closure regulatory deadline, the CUPA may not issue temporary closure permits for USTs or UST systems with single-walled components on or after December 31, 2024. Temporary closure permits may only be issued to USTs or UST systems that will be brought back into operation. The State Water Board strongly recommended CUPAs not to issue temporary closure permits to USTs or UST systems with single-walled components on or after December 31, 2023, to help mitigate the potential of UST abandonment.

3. INCIDENTAL FINDING:

The CUPA is not conducting complete annual UST compliance inspections.

Review of annual UST compliance inspection reports, associated testing and leak detection documents, and CERS information finds the following tank construction and testing discrepancies:

- CERS ID 10244767
 - Annual Monitoring System Certification dated February 2, 2022, does not show the Automatic Tank Gauging (ATG) testing completed, while CERS requires ATG testing for single-walled tank monitoring.
- CERS ID 10241596
 - Annual Monitoring System Certifications dated May 31, 2021, May 30, 2022, and May 19, 2023, do not reflect the ATG testing completed, while CERS requires ATG testing for single-walled tank monitoring.
- CERS ID 10249603
 - Secondary Containment Testing Report Form dated December 20, 2021, cites passing results for secondary containment, while CERS reflects single-walled tanks.
- CERS ID 10245421
 - Annual Monitoring System Certifications dated January 4, 2021, January 27, 2022, and January 25, 2023, reflect discrepancies in Section 5. "Yes" was marked for the question "Does the flow of fuel stop at the dispenser if a release is detected in the UDC?" when Section 6 and the monitoring plan note 208 sensors are being used.
- CERS ID 10242910
 - Secondary Containment Testing Report Forms dated January 26, 2023, and October 12, 2023, note the tank manufacturer as Xerxes while CERS reflects the tank manufacturer as Owens Corning and Modern Welding.

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

UNIFIED PROGRAM PERFORMANCE EVALUATION FINAL SUMMARY OF FINDINGS REPORT

CITATION:

CCR, Chapter 16, Section 2713(c)(4) and (d)
CCR, Title 27, Section 15290(a)(3)
[State Water Board]

RESOLUTION:

By the 1st Progress Report, will review and revise the I&E Plan, or other applicable procedure, to ensure the establishment of the following:

- Discussion of what procedures and tools may be needed to consistently conduct complete annual UST compliance inspections and correctly report UST information to CERS.
 - e.g. identifying areas of the annual UST compliance inspection checklist that can be improved (refer to the California CUPA Forum Board “UST Inspection Checklist,” at <https://calcupa.org/inspection-checklist/index.html>);
- Identification of the types and frequency of training needed to consistently conduct complete UST compliance inspections, identify non-compliance, and ensure UST information is reported to the local data management system and CERS.

The CUPA will provide CalEPA with the revised I&E Plan, or other applicable procedure. The CUPA will contact the State Water Board for any assistance needed.

By the 2nd Progress Report, if amendments to the revised I&E Plan, or other applicable procedure, are necessary based on feedback from the State Water Board, the CUPA will provide CalEPA with the amended I&E Plan, or other applicable procedure. If no amendments are necessary, the CUPA will train UST inspection staff on the revised I&E Plan, or other applicable procedure. Once training is complete, the CUPA will implement the revised I&E Plan, or other applicable procedure and provide CalEPA with a statement that training has been conducted.

By the 3rd Progress Report, if amendments to the revised I&E Plan or other applicable procedure were necessary, the CUPA will train UST inspection staff on the amended I&E Plan, or other applicable procedure. Once training is complete, the CUPA will implement the amended I&E Plan, or other applicable procedure and provide CalEPA with a statement that training has been conducted.

By the 4th Progress Report, and with each subsequent Progress Report until considered resolved, the CUPA will provide CalEPA with UST facility records for the five most recent completed UST compliance inspections, including at minimum, annual UST compliance inspection reports and associated testing and leak detection documents.

4. INCIDENTAL FINDING:

The CUPA is not ensuring all businesses subject to Business Plan reporting requirements annually submit an HMBP or a no-change certification to CERS.

Review of HMBPs submitted to CERS between October 11, 2022, and December 11, 2023, by businesses subject to Business Plan reporting requirements finds:

- 1,579 of 8,678 (18%) Business Plan facilities have not annually submitted a chemical inventory (including site map) or a no-change certification.

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

UNIFIED PROGRAM PERFORMANCE EVALUATION FINAL SUMMARY OF FINDINGS REPORT

- 1,636 of 8,633 (19%) Business Plan facilities have not annually submitted emergency response and employee training plans or a no-change certification.

CITATION:

HSC, Chapter 6.95, Sections 25505(a), 25508(a)(3) and (4), and 25508.2
[CalEPA]

RESOLUTION:

By the 1st Progress Report, the CUPA will develop, implement, and provide CalEPA with an action plan to ensure all businesses subject to Business Plan reporting requirements annually submit an HMBP or a no-change certification to CERS. The action plan, at minimum, will include:

- How the CUPA will follow up with facilities that have not annually submitted an HMBP or a no change certification to CERS.
- How the CUPA will develop and implement progressive enforcement, such as a second or greater inspection fee for non-compliant facilities or a late submittal fee, including an outline of the timeline for developing the program for the late submittal fee, or other fees, to further ensure compliance with Business Plan reporting requirements.
- How the CUPA will develop and implement efficient and effective outreach measures to ensure regulated facilities fully understand reporting mandates and consequences of non-compliance.

By the 2nd Progress Report, and with each subsequent Progress Report until considered corrected, the CUPA will provide CalEPA with an updated action plan and a narrative update on the implementation of the action plan.

By the 4th Progress Report, the CUPA will have implemented all aspects of the action plan. Once all aspects of the action plan have been implemented, this finding will be considered “closed” but not corrected.

This finding will be considered corrected once the CUPA ensures each business subject to Business Plan reporting requirements has annually submitted an HMBP or a no change certification to CERS, or the CUPA will have applied enforcement. CalEPA will utilize CERS to evaluate the progress made towards the correction of this finding.

5. INCIDENTAL FINDING:

The CUPA is not consistently or correctly reporting CME information to CERS for businesses subject to HMBP requirements.

Review of the CERS CME information between October 1, 2020, and September 20, 2023, inspection reports and other information provided by the CUPA finds the following:

- Unified Program Violation Library Violation Type Numbers relative to HMBP requirements were used to report violations of the California Fire Code.
 - Violation Type Number 1015 – “General – Local Ordinance”
 - CERS ID 10463914: inspection report dated July 21, 2020
 - CERS ID 10417429: inspection report dated November 10, 2020
 - CERS ID 10244449: inspection report dated May 23, 2022

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

UNIFIED PROGRAM PERFORMANCE EVALUATION FINAL SUMMARY OF FINDINGS REPORT

- Violation Type Number 1030 – “General – Operations/Maintenance”
 - CERS ID 10241515: inspection report dated September 25, 2019
 - CERS ID 10254382: inspection report dated October 25, 2021
- Violation Type Number 1035 – “General Local Ordinance – Operations/Maintenance”
 - CERS ID 10505320: inspection report dated July 30, 2020
 - CERS ID 10029850: inspection report dated March 10, 2023
 - CERS ID 10423690: inspection report dated September 20, 2023
- Violation Type Number 1040 – “General – Release/Leaks/Spills”
 - CERS ID 10254364: inspection report dated January 13, 2023
 - CERS ID 10244185: inspection report dated April 26, 2023
- Violation Type Number 1055 – “General – Abandonment/Illegal Disposal/Unauthorized Treatment”
 - CERS ID 10242841: inspection report dated December 16, 2021
- Unified Program Violation Library Violation Type Number 1015 - “General – Local Ordinance”, relative to HMBP requirements, was used to report violations of the APSA Program.
 - CERS ID 10257520: inspection report dated March 11, 2021
 - CERS ID 10253155: inspection report dated March 12, 2021
 - CERS ID 10260187: inspection report dated September 6, 2023
 - CERS ID 10244638: inspection report dated September 7, 2021
 - CERS ID 10253212: inspection report dated August 17, 2023
- Unified Program Violation Library Violation Type Number 1035 - “General – Operations/Maintenance”, relative to HMBP requirements, was used to report violations of the HWG Program.
 - CERS ID 10253179: inspection report dated December 16, 2021
- Unified Program Violation Library Violation Type Numbers relative to “General” requirements were used to report an HMBP violation when a more specific or appropriate Violation Type Number should have been used.
 - Violation Type Number 1020 – “General – Training”.
 - The correct Violation Type Numbers are 1020001 - “Training Program not included or is not adequate” or 1020002 – “Training Not Provided and/or Documented”.
 - CERS ID 10678882: inspection report dated September 4, 2020
 - CERS ID 10247737: inspection report dated January 20, 2021
 - Violation Type Number 1030 – “General – Operations/Maintenance”
 - The correct Violation Type Number is 1010006 – “Hazardous Materials Business Plan Updates”.
 - CERS ID 10030417: inspection report dated January 12, 2021
- the “Inspection Date” of the inspection report and the “Violation Occurred On” date and/or “Actual RTC” date reported to the CUPA’s data management system and CERS are not consistent:
 - CERS ID 10258462: inspection report dated February 8, 2019
 - Violation “Occurred On” date reflected in CERS as February 14, 2019

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

UNIFIED PROGRAM PERFORMANCE EVALUATION FINAL SUMMARY OF FINDINGS REPORT

- CERS ID 10151929: inspection report dated March 11, 2019
 - Violation “Occurred On” date reflected in CERS as May 17, 2019
- CERS ID 10249270: inspection report dated April 30, 2019
 - Violation “Occurred On” date reflected in CERS as May 2, 2019
- CERS ID 10241881: inspection report dated February 22, 2023
 - Violation “Occurred On” date reflected in CERS as March 12, 2023
- CERS ID 10241881: inspection report dated February 22, 2023
 - Violation “Occurred On” date reflected in CERS as March 12, 2023.
 - CERS reflects the facility submitted the inventory on March 8, 2023, and April 17, 2023, however the CUPA had not accepted the submittals.

Note: The examples provided above may not represent all instances of this Deficiency.

CITATION:

HSC, Chapter 6.11, Sections 25404(e)(4) and 25404.1.2(c)
[CalEPA]

RESOLUTION:

Effective immediately, the CUPA will cease reporting Fire Code, APSA, and HWG violations to CERS relative to the HMBP Program.

During the evaluation, the CUPA revised the inspection reports for the 12 facilities identified above as having Unified Program Violation Library Violation Type Numbers relative to HMBP requirements used to report violations of the California Fire Code between October 1, 2020, and September 20, 2023.

By the 1st Progress Report, the CUPA will develop, implement, and provide CalEPA with an action plan to ensure information in inspection reports and related HMBP CME information is consistently and correctly reported to the CUPA’s data management system and CERS. The action plan will include, at minimum:

- Identification and correction of the cause(s) of inconsistent and incorrect reporting of HMBP CME information from inspection reports to CERS, including any inconsistencies in the electronic data transfer (EDT) from the CUPA’s data management system to CERS;
- Identification of all HMBP CME information not previously reported to CERS, or reported to CERS incorrectly between July 1, 2020, and June 30, 2023;
- A process and timeframe, including the anticipated date of resolution, for correctly reporting HMBP CME information identified as:
 - Not being previously reported to CERS, and/or
 - Previously reported incorrectly or inconsistently to the CUPA’s data management system and/or CERS, including CME information for any revised inspection reports;
- Review and revision of the CME reporting component of the Data Management Procedure, or other applicable procedure, to ensure HMBP CME information is consistently and correctly reported to the CUPA’s data management system and CERS;
- A process for ensuring CUPA personnel and inspectors are trained in the correct use of the most current violation classifications and citations in the CUPA’s data management system and Unified Program Violation Library Violation Type Numbers; and

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

UNIFIED PROGRAM PERFORMANCE EVALUATION FINAL SUMMARY OF FINDINGS REPORT

- Future steps to ensure all HMBP CME information is consistently and correctly reported to CERS. This may generate the need for:
 - a comparison of HMBP CME information in the CUPA's data management system with the CME information in CERS to identify CME information not reported, or previously reported incorrectly to CERS and/or
 - establishment of a quality assurance and quality control process to confirm all CME information is correctly and consistently reported to CERS.

By the 2nd Progress Report, and with each subsequent Progress Report until considered corrected, the CUPA will provide CalEPA with a narrative update of the progress made towards implementation of all components of the action plan.

By the 2nd Progress Report, if amendments to the revised CME reporting component of the Data Management Procedure, or other applicable procedure were necessary based on feedback from CalEPA, the CUPA will provide CalEPA with the amended CME reporting component of the Data Management Procedure or other applicable procedure. If amendments are not necessary, the CUPA will train CUPA personnel on the revised CME reporting component of the Data Management Procedure, or other applicable procedure and will ensure CUPA personnel review the most current violations and citations of the CUPA's data management system and Unified Program Violation Library Violation Type Numbers. The CUPA will provide training documentation to CalEPA which will include, at minimum, the date training was conducted, an outline of the training conducted and a list of CUPA personnel in attendance. Once training is complete, the CUPA will implement the revised CME reporting component of the Data Management Procedure or other applicable procedure.

By the 3rd Progress Report, if amendments to the revised CME reporting component of the Data Management Procedure, or other applicable procedure were necessary, the CUPA will provide CalEPA with the amended CME reporting component of the Data Management Procedure, other applicable procedure. The CUPA will train CUPA personnel on the amended CME reporting component of the Data Management Procedure, or other applicable procedure, and will ensure CUPA personnel review the most current violations and citations of the CUPA's data management system and the Unified Program Violation Library Violation Type Numbers. The CUPA will provide training documentation to CalEPA which will include, at minimum, the date training was conducted, an outline of the training conducted and a list of CUPA personnel in attendance. Once training is complete, the CUPA will implement the amended CME reporting component of the Data Management Procedure or other applicable procedure.

By the 5th Progress Report, the CUPA will consistently and correctly report all current and previous HMBP CME information to CERS. The CUPA will provide a statement confirming all HMBP CME information not previously reported to CERS, or previously reported incorrectly to CERS, between July 1, 2020, and June 30, 2023, has been correctly reported to CERS. If a statement confirming all HMBP CME information has been correctly reported to CERS cannot be provided, the CUPA will provide a narrative update on the progress made towards consistently and correctly reporting HMBP CME information to CERS.

6. INCIDENTAL FINDING: RESOLVED DURING EVALUATION

The CUPA is not consistently following up and documenting return to compliance (RTC) information in CERS for APSA tank facilities cited with violations.

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

UNIFIED PROGRAM PERFORMANCE EVALUATION FINAL SUMMARY OF FINDINGS REPORT

Review of CERS CME information on April 15, 2024, finds there is no documented RTC for the following APSA Program violations cited between July 1, 2019, and June 30, 2023:

- Fiscal Year (FY) 2019/2020: 0 of 401 (0%)
 - Including 0 violations for not having, or failure to prepare, a Spill Prevention, Control, and Countermeasure (SPCC) Plan
- FY 2020/2021: 23 of 783 (3%)
 - Including 0 violations for not having, or failure to prepare, an SPCC Plan
- FY 2021/2022: 16 of 326 (5%)
 - Including 1 violations for not having, or failure to prepare, an SPCC Plan
- FY 2022/2023: 88 of 1,071 (8%)
 - Including 3 violations for not having, or failure to prepare, an SPCC Plan

CITATION:

Health and Safety Code (HSC), Chapter 6.11, Section 25404.1.2(c)

HSC, Chapter 6.67, Section 25270.4.5(a)

CCR, Title 27, Sections 15185(a) and (c) and 15200(a) and (e)

[OSFM]

RESOLUTION: COMPLETED

During the evaluation, the CUPA made outstanding progress obtaining RTC for numerous APSA violations and has applied enforcement.

In the months of January and February 2024, the CUPA prepared and advanced Formal Enforcement Cases for the four facilities identified as having an open violation (no RTC) for not having, or failure to prepare, an SPCC Plan, cited between July 1, 2021, and June 30, 2023.

This Incidental Finding is considered corrected.

7. INCIDENTAL FINDING: RESOLVED DURING EVALUATION

The CUPA is not consistently following up and documenting return to compliance (RTC) information in CERS for APSA tank facilities cited with violations.

Review of CERS CME information on April 15, 2024, finds there is no documented RTC for the following APSA Program violations cited between July 1, 2019, and June 30, 2023:

- Fiscal Year (FY) 2019/2020: 0 of 401 (0%)
 - Including 0 violations for not having, or failure to prepare, a Spill Prevention, Control, and Countermeasure (SPCC) Plan
- FY 2020/2021: 23 of 783 (3%)
 - Including 0 violations for not having, or failure to prepare, an SPCC Plan
- FY 2021/2022: 16 of 326 (5%)
 - Including 1 violations for not having, or failure to prepare, an SPCC Plan
- FY 2022/2023: 88 of 1,071 (8%)
 - Including 3 violations for not having, or failure to prepare, an SPCC Plan

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

UNIFIED PROGRAM PERFORMANCE EVALUATION
FINAL SUMMARY OF FINDINGS REPORT

CITATION:

Health and Safety Code (HSC), Chapter 6.11, Section 25404.1.2(c)
HSC, Chapter 6.67, Section 25270.4.5(a)
CCR, Title 27, Sections 15185(a) and (c) and 15200(a) and (e)
[OSFM]

RESOLUTION: COMPLETED

During the evaluation, the CUPA made outstanding progress obtaining RTC for numerous APSA violations and has applied enforcement.

In the months of January and February 2024, the CUPA prepared and advanced Formal Enforcement Cases for the four facilities identified as having an open violation (no RTC) for not having, or failure to prepare, an SPCC Plan, cited between July 1, 2021, and June 30, 2023.

This Incidental Finding is considered corrected.

8. INCIDENTAL FINDING: RESOLVED DURING EVALUATION

An established Unified Program administrative procedure has a component that is incomplete.

The following component is incomplete:

- Records Maintenance
 - Identification of records maintained
 - Though maintained for a minimum of five years by the CUPA, the following documents are not identified as maintained in the written procedure.
 - Self-Audit Reports;
 - Detailed records used to produce the summary reports submitted to the state;
 - Surcharge billing and collection records following closure of any billing period, or until completion of any audit process;
 - Training records required by CCR, Title 27, Section 15260

CITATION:

CCR, Title 27, Section 15185(b)
[CalEPA]

RESOLUTION: COMPLETED

During the evaluation, the CUPA provided a revised Records Maintenance Procedure, stipulating all documents identified in CCR, Title 27, Section 15185 are retained for a minimum of five years.

The CUPA will train personnel on the amended Unified Program administrative procedure. Once training is complete, the CUPA will implement the amended Unified Program administrative procedures.

This Incidental Finding is considered resolved.

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
UNIFIED PROGRAM PERFORMANCE EVALUATION
PRELIMINARY SUMMARY OF FINDINGS REPORT

OBSERVATIONS AND RECOMMENDATIONS

Observations and recommendations identify areas of Unified Program implementation that could be improved and provide suggestions for improvement. Though the CUPA is not required by regulation or statute to apply the recommendations provided, the CUPA would benefit in applying the recommendations provided to improve the overall implementation of the Unified Program.

1. OBSERVATION:

The information below is a summary of the overall implementation of the HWG Program, and the hazardous waste related activities based upon review of policies and procedures, CERS information, facility file information, Self-Audit Reports, information provided by the CUPA and Los Angeles County Fire Department PA between October 1, 2020, and September 30, 2023:

- CERS reflects there are 7,948 regulated HWG facilities, including 231 RCRA LQG facilities, and 139 TP facilities.
- CERS reflects 7,879 unique HWG facilities were inspected, approximately 10,447 “Routine” HWG inspections were conducted, and 4,480 “Other” inspections were conducted.
 - All RCRA LQG and TP facilities were inspected at least once every three years.
 - The number of HWG inspections conducted by the Los Angeles County Fire Department PA with cited violations specific to the jurisdiction of the CUPA cannot accurately be determined from CERS. In total, within the jurisdiction of the CUPA and within the jurisdiction of the Los Angeles County Fire Department CUPA, the Los Angeles County Fire Department PA conducted approximately 41% of HWG inspections having at least one violation cited.
 - Of the HWG inspections conducted having at least one violation cited, approximately 7,813 total violations were issued, consisting of:
 - 23 (>1%) Class I violations,
 - 4,161 (53%) Class II violations, and
 - 3,629 (46%) minor violations
 - The Los Angeles County Fire Department PA has ensured RTC for 7,718 of 7,813 (99%) violations cited.
 - RTC for violations regarding accumulation time limits of hazardous waste at VSQGs, SQGs, and LQGs (CERS ID 3030009, CERS ID 3030010, CERS ID 3030012, and CERS ID 3130004), reflects:
 - 118 of 338 (35%) violations did not achieve RTC within 75 days.
 - 104 of 338 (31%) violations did not achieve RTC within 90 days.
 - 81 of 338 (24%) violations did not achieve RTC within 120 days.
 - The longest time to achieve RTC was 1,066 days.
 - 3 out of 299 (1%) PBR submittals were not reviewed, processed, or authorized by the CUPA within 45 days of receipt.
- A total of 24 formal enforcement cases were completed, including 3 cases against non-regulated entities, such as property owners. CERS reflects 21 enforcement actions for hazardous waste related violations with a total cumulative penalty amount of \$220,657.00.
- Inspection reports contain detailed comments that note the factual basis of cited violations and indicate whether consent to inspect was requested prior to the inspection.

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
UNIFIED PROGRAM PERFORMANCE EVALUATION
PRELIMINARY SUMMARY OF FINDINGS REPORT

RECOMMENDATION:

Continue collaboration efforts with the PA on the implementation of the HWG Program. Continue with the three-year HWG inspection frequency as identified in the I&E Plan. Follow up with facilities that have not obtained RTC by the scheduled RTC date and apply progressive enforcement when facilities do not RTC, per the I&E Plan. Continue to ensure complete and thorough inspections are conducted to identify all violations at facilities.

Periodically check validity of external web links on the CUPA website.

When the U.S. EPA Generator Improvement Rule requirements are adopted and incorporated into California regulations, reference and revise appropriate citation sections in inspection checklists, available factsheets and other resources utilized for the implementation of the HWG Program as well as those made publicly available.

2. OBSERVATION:

The Los Angeles County Fire Department PA's review of TP submittals typically comes with the following statement in CERS:

"This Department has received the completed [annual Permit by Rule (PBR) notification] for this facility. Your notification is administratively complete but has not been reviewed for technical adequacy. A technical review of your notification will be conducted when a representative of this Department performs an onsite inspection. Pursuant to Title 22, California Code of Regulations (CCR), Section 67450.3(d), you are hereby reauthorized to operate the PBR unit(s) identified in this notification from March 15, 2023, to March 14, 2024. If you have any questions, please contact [inspector] at [phone number]."

TP submittals should be reviewed for technical accuracy as much as possible before being accepted or not accepted. The following is an example of a TP submittal that was not adequately reviewed for technical accuracy before a site visit:

- CERS ID 10151919
 - Notes in the submittals show, "An inspection was conducted on 12/08/22 and the submittals were verified."
 - PBR submittal submitted on December 1, 2022, and "Not Accepted" on December 15, 2022.
 - Comments by the Los Angeles County Fire Department PA show the submittal was Not Accepted because, "The units reported as part of the tiered permit are incorrect. Cyanide destruction and chrome must be separate. This is the reason the submittal has not been accepted. The facility needs to resubmit with the additional PBR unit making a total of 4 units."
 - The previous PBR submittals (ex: March 10, 2021) were "Accepted" with the same information noted as being incorrect in the December 1, 2022, submittal.
 - PBR submittal submitted on December 15, 2022, and "Not Accepted" on January 11, 2023.

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
UNIFIED PROGRAM PERFORMANCE EVALUATION
PRELIMINARY SUMMARY OF FINDINGS REPORT

A technical review should have been conducted to identify the issues with the pre-2022 PBR submittals that were later identified. An office review of the TP submittal would have identified the incompatibility issue with the chrome and cyanide treatment.

RECOMMENDATION:

In coordination with the Los Angeles County Fire Department, ensure all TP submittals are reviewed for technical accuracy, as much as feasible, before being accepted or not accepted. The following criteria will assist in conducting a thorough office review of a TP submittal:

- Regarding the narrative description of the specific waste type being treated:
 - Are the narratives detailed enough for the CUPA/PA to conduct a technical review?
 - Does the narrative accurately describe a waste type that qualifies for treatment under a TP tier?
 - If the facility is treating aqueous waste with metals, did the facility identify the metals being treated so that the CUPA/PA can determine if the metals match the TP tier?
 - Does the narrative description of the treatment process match the selections in the Waste and Treatment Process Combinations section?
 - Basis for Not Needing Federal Permit
 - Does the selection match the narrative description? (ex: not conducting empty container rinsing, but selected anyway)
 - Waste and Treatment Process Combinations
 - Does the selected combination match the narrative description?
-

3. OBSERVATION:

Pursuant to the PA agreement, the CUPA performs an annual evaluation of the performance of the Los Angeles County Fire Department PA relative to the implementation of the HWG Program. Each PA evaluation is reflected in the CUPA Self-Audit Report for the previous FY.

The PA evaluation for FY 2017/18 resulted in the establishment of a Program Improvement Agreement (PIA) between the CUPA and the PA. Through improved performance and implementation of the PA, the PIA concluded on July 8, 2022, and annual evaluation of PA performance resumed. Self-Audit Reports for FYs 2020/21, 2021/22, and 2022/23 include Deficiencies and Findings identified in the evaluation of the PA, all of which have since been considered corrected or resolved by the CUPA.

The PA evaluation reflected in the Self-Audit Report for FY 2022/23 does not identify any Deficiencies or Incidental Findings and includes two Observations. One of the observations, "Disposal of Hazardous Waste to Unpermitted Treatment Facilities," concerns Deficiency 1 of the PA evaluation reflected in the Self-Audit Report for FY 2021/22. The observation notes a request of the CUPA for oversight inspection coordination with the PA. The CUPA is continuing to work with the Los Angeles County Fire Department PA regarding oversight of facilities in the downtown Los Angeles Jewelry District to ensure proper hazardous waste determinations are conducted and to ensure any identified treatment of hazardous waste in basements of various buildings is referred to DTSC. Oversight inspections have been coordinated and scheduled between the CUPA and the PA for the 2023/24 PA performance evaluation.

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
UNIFIED PROGRAM PERFORMANCE EVALUATION
PRELIMINARY SUMMARY OF FINDINGS REPORT

RECOMMENDATION:

Continue to coordinate and collaborate with the PA to work towards the common goal of implementing the HWG Program. Open communication will mutually benefit the CUPA and PA, as well as regulated facilities and the community. Continue to refer HW complaints to DTSC through the CalEPA Complaint System, as appropriate.

Continue to evaluate the performance of the PA annually, relative to the implementation of the HWG Program. In each Self-Audit Report, in addition to identified Deficiencies, Incidental Findings and Observations, document improved performance of the PA. The efforts of the CUPA to evaluate the PA and the efforts of the PA to address Deficiencies and Incidental Findings in each evaluation, are appreciated and serve to benefit the implementation of the Federal RCRA Program in California, as well as the greater Los Angeles area.

4. OBSERVATION:

Review of CERS CME information between October 1, 2020, and September 30, 2023, facility files, and information provided by the CUPA and Los Angeles County Fire Department PA finds the following:

- Resource Conservation and Recovery Act (RCRA) Large Quantity Generator (LQG) inspections conducted by the PA are incorrectly reported to CERS as an “HW” inspection:
 - CERS ID 10256620
 - Inspection conducted on April 26, 2021
 - CERS ID 10240681
 - Inspection conducted on April 22, 2021
 - CERS ID 10244683
 - Inspection conducted on February 10, 2021
 - CERS ID 10241713
 - Inspection conducted on October 26, 2021
 - CERS ID 10239700
 - Inspection conducted on October 17, 2023
 - CERS ID 10863295
 - Inspection conducted on February 25, 2021
 - CERS ID 10245571
 - Inspection conducted on December 18, 2020

*Note: The listed CERS IDs have been consistently submitting RCRA Biennial Reports.

- “Routine” HWG Program inspections conducted by the PA are incorrectly reported to CERS as an “Other” HWG Program inspection:
 - CERS ID 10681294
 - Inspection conducted on December 2, 2020
 - CERS ID 10255768
 - Inspection conducted on August 23, 2021
 - CERS ID 10894744
 - Inspection conducted on February 22, 2022
 - CERS ID 10253893
 - Inspection conducted on July 19, 2022

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

UNIFIED PROGRAM PERFORMANCE EVALUATION
PRELIMINARY SUMMARY OF FINDINGS REPORT

- CERS ID 10261687
 - Inspection conducted on July 21, 2022
- CERS ID 10258678
 - Inspection conducted on July 26, 2022
- CERS ID 10173169
 - Inspection conducted on July 28, 2022
- CERS ID 10936324
 - Inspection conducted on August 2, 2023

*Note: The above examples have been corrected.

- One HWG Program formal enforcement action applied by the Los Angeles County Fire Department PA was not reported to CERS. Examples include:
 - CERS ID 10153153
 - Successfully settled on February 8, 2021. Entered into CERS on April 5, 2024.

RECOMMENDATION:

Continue collaboration efforts with the PA on the implementation of the HWG Program. HW Program inspectors are encouraged to review DTSC's Hazardous Waste Tracking System (HWTS), as well as USEPA's RCRAInfo System and RCRA Biennial Reports to prepare for inspections of RCRA LQGs. Using these tools, it is possible to determine whether a facility operated as a RCRA LQG within a calendar year and would need to comply with RCRA LQG requirements.

5. OBSERVATION:

HWG oversight inspections were conducted with two different lead inspectors in the Northern Region of the Los Angeles County Fire Department PA. On March 19, 2024, an oversight inspection was conducted at CERS ID 10250371, a Permit-by-Rule (PBR) treatment facility and on March 20, 2024, an oversight inspection was conducted at CERS ID 1025430, a RCRA LQG and HW Recycler. A representative of the Los Angeles City CUPA was also present during each oversight inspection.

Prior to the inspections, both inspectors demonstrated thorough pre-inspection preparation, including using both CERS, the DTSC Hazardous Waste Tracking System (HWTS), and RCRA info to gather information on the activities and hazardous waste shipments of each facility inspected. Previous inspection reports and other regulatory guidance documents were also reviewed. Overall, the pre-inspection preparation was detailed and appropriate for the nature of the facilities.

During both inspections the inspectors clearly asked for and obtained consent to inspect and explained the purpose of the inspection. A full walkthrough of both facilities was conducted, and the inspectors observed all areas where hazardous waste was generated, treated, and managed. Both inspectors took thorough notes as well as inspection photos and asked pertinent questions while maintaining control of the inspection. The appropriate documents required of PBR and LQG facilities were requested and reviewed or noted as violations when not available for review.

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
UNIFIED PROGRAM PERFORMANCE EVALUATION
PRELIMINARY SUMMARY OF FINDINGS REPORT

During both inspections DTSC pointed out a few potential violations at each facility that were not initially noticed by the Los Angeles County Fire Department PA lead inspectors. After DTSC shared the observations, the lead inspectors took appropriate action and addressed the potential violations. Suggestions for continuing training on potential hazardous waste violation topics are detailed in the recommendation below.

The violations observed during each inspection were cited and reviewed with the facility representative(s) upon conclusion of each inspection. The violations cited in each of the inspection reports contain the inspector's observations, the correct citations, and corrective actions. Recommendations for improving written content of inspection reports is detailed below. Overall, the inspections were handled professionally and were conducted in a timely manner.

In terms of understanding HWG Program requirements, the Los Angeles County Fire Department PA lead inspectors demonstrated each is well versed in a range of hazardous waste topics, including the following, that were encountered and applied during the oversight inspections: hazardous waste determinations, tank requirements, general PBR requirements, and general HWG requirements.

RECOMMENDATION:

For more complex HWG facilities, such as facilities that perform onsite treatment, inspectors should apply a process-based approach when conducting the inspection. For example, conducting the inspection from the beginning of the processes at a facility and following the processes through the end of the inspection (i.e., starting with the inputs to the process and ending with the outputs of the process). The process-based inspection guide prepared by U.S. EPA is a helpful reference and is available at <https://www.epa.gov/sites/default/files/documents/process-basedguide.pdf>.

Based on observations made during the oversight inspections, the following topics should be incorporated into continuing training or improvement of inspector knowledge:

- PBR Requirements
 - Review CCR, Title 22, Section 67450.3(b)(7) – *Permanently* mark the exterior of each Fixed Treatment Unit (FTU) with the name of the person which owns or operates the FTU, facility identification number and an individual serial number.
 - Fixed Treatment Units – Types of treatment and how to review a TP submittal in CERS, along with supplemental documentation such as TP site maps.
 - Closure Cost Estimates and Closure Plans – Required elements and
- HW Tank Assessments
 - Required elements.
- Satellite Accumulation
 - Restrictions on size (volume) and number of containers allowed per waste stream.

Written details within the inspection report could be improved as follows:

- Ensure corrective actions are detailed and descriptive enough for the facility to obtain a clear pathway to return to compliance.
- Some corrective actions are written under the context that a follow-up inspection will be conducted to verify compliance. While noted that the Los Angeles County Fire Department PA regularly conducts follow-up inspection to verify RTC, inspectors should

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
UNIFIED PROGRAM PERFORMANCE EVALUATION
PRELIMINARY SUMMARY OF FINDINGS REPORT

ensure a follow-up inspection is conducted, as appropriate when specified in a corrective action.

6. OBSERVATION:

Review of CERS finds 81 UST facilities have single-walled components which require permanent closure by December 31, 2025, in accordance with HSC, Chapter 6.7, Section 25292.05. The following are examples:

- CERS ID 10199110
- CERS ID 10240804
- CERS ID 10241407
- CERS ID 10241410
- CERS ID 10242916

Note: The examples provided above do not represent all instances of this observation.

RECOMMENDATION:

Continue to provide verbal and written reminders to all applicable UST owners/operators regarding the December 31, 2025, deadline for permanent closure of single-walled USTs.

7. OBSERVATION:

The CUPA is not sequentially accepting and reviewing UST CERS submittals within 30 days. The following is an example:

- CERS ID 10253032-003
 - UST removal on July 27, 2022, was not accurately captured in the CERS UST Facility/Tank Data Download due to submissions being accepted out of order. The updated UST Program applicability element was overwritten.

RECOMMENDATION:

Ensure CERS submittals are accepted sequentially to minimize overwriting information. Additional guidance can be found at https://www.waterboards.ca.gov/ust/cers/tutorials/ru11_accepted_status.html.

8. OBSERVATION:

Review of CERS and CME information on January 25, 2024, finds RTC was entered as “Not Resolvable” for approximately 20% of UST Program violations. The following are examples:

- CERS ID 10153873
 - Routine inspection dated November 28, 2022
- CERS ID 10239946
 - Routine inspection dated November 30, 2023
- CERS ID 10029895
 - Routine inspection dated May 27, 2022

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
UNIFIED PROGRAM PERFORMANCE EVALUATION
PRELIMINARY SUMMARY OF FINDINGS REPORT

- CERS ID 10030489
 - Routine inspection dated March 27, 2023
- CERS ID 10239946
 - Routine inspection dated March 2, 2023

Note: The examples provided above do not represent all instances of this observation.

Note: UST Violation qualifier “Not resolvable” is intended for more unique situations where the initial violation cannot be resolved. UST Program violations for missed testing, and/or failures in testing for leak detection equipment are resolvable. “Not Resolvable” will be added to the Data Dictionary in 2026, and these current procedures will be incorrect.

RECOMMENDATION:

The State Water Board and CUPA representatives met on March 12, 2024. The CUPA indicated being in the process of migrating to a new Data Management platform. Review UST Violation RTC and qualifier procedures to ensure violation data, including escalated class violation data, is accurately captured in CERS.

9. OBSERVATION:

On April 23, 2024, two UST oversight inspections were conducted, and a red tag enforcement application was observed. The first oversight inspection was conducted during the annual monitoring system certification (AMC), and the spill containment testing at CERS ID 10253038 for regular and premium motor vehicle fuel. The second UST oversight inspection was conducted during the annual AMC, spill containment testing, and overfill prevention equipment inspection at CERS ID 10240936, consisting of 3 motor vehicle fueling USTs and 1 hazardous waste UST.

The inspectors were knowledgeable, performing a thorough review of required onsite documentation and performed visual inspection of sumps, spill buckets, and under dispenser containment (UDC). The provided testing documents and inspection report was consistent with information recorded in CERS.

The red tag enforcement was observed at CERS ID 10948783, a stand-alone hazardous waste UST. The facility had not reported any UST activities in CERS and no regular testing of the SW tank had been conducted. Upon entry, the tanks were immediately red tagged and all hazardous materials on site were documented. The CUPA inspectors and enforcement team were clear on their methods going into the facility, provided helpful information to the facility on what would be required to remedy the issue, and how to contact them. The facility went on to have a submittal accepted on May 29, 2024, which outlines that the tank is in the process of being removed.

The continuation of strong enforcement actions has led to further funding the implementation of the CUPA Program, which in turn, encourages further enforcement cases to better protect our communities.

RECOMMENDATION:

Continue to perform thorough UST inspections and enforcement cases, communicate clearly, and consistently follow up with ongoing cases to ensure a productive environment.

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
UNIFIED PROGRAM PERFORMANCE EVALUATION
PRELIMINARY SUMMARY OF FINDINGS REPORT

10. OBSERVATION:

The information below is a comparison of the total number of regulated facilities within each Unified Program element upon certification of the CUPA with present-day circumstance and the degree to which the number of regulated facilities has increased or decreased. The information is sourced from the following:

- *Original Certification Source: City of Los Angeles Fire Department 1996 CUPA Application*
- *Current CUPA Evaluation Sources: CERS “Summary Regulated Facilities by Unified Program Element Report” & CERS “UST Inspection Summary Report (Report 6)”, both generated on April 4, 2024.*
- Total Number of Regulated Businesses and Facilities:
 - Upon Certification in 1996: 10,706
 - Currently: 12,065
 - An increase of 1,359 facilities
- Total Number of Hazardous Materials Release Response Plan and Inventory (Business Plan) Regulated Businesses and Facilities:
 - Upon Certification in 1996: 9,000
 - Currently: 8,732
 - A decrease of 268 facilities
- Total Number of Regulated UST Facilities:
 - Upon Certification in 1996: 2,606
 - Currently: 1,189
 - A decrease of 1,417 facilities
- Total Number of Regulated USTs:
 - Upon Certification in 1996: 6,889
 - Currently: 3,111
 - A decrease of 3,778 USTs
- Total Number of Regulated HWG Facilities:
 - Upon Certification in 1996: 5,947
 - Current CUPA Evaluation: 7,659
 - An increase of 1,712 facilities
- Total Number of Regulated Household Hazardous Waste (HHW) Facilities:
 - HHW Facilities were not regulated under the Unified Program upon certification in 1996. No count was provided in the application for certification. The difference between the current and historic number of facilities cannot be determined at this time.
 - Currently: 10
- Total Number of Regulated TP Facilities (PBR, Conditionally Authorized, Conditionally Exempt):
 - Upon Certification in 1996: 753
 - Currently: 310
 - A decrease of 443 facilities

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

UNIFIED PROGRAM PERFORMANCE EVALUATION PRELIMINARY SUMMARY OF FINDINGS REPORT

- Total Number of Regulated RCRA LQG Facilities:
 - RCRA LQG Facilities were not regulated under the Unified Program upon certification in 1996. No count was provided in the application for certification. The difference between the current and historic number of facilities cannot be determined at this time.
 - Currently: 266
- Total Number of Regulated Risk Management Prevention Plan (RMPP) or CalARP Program Facilities:
 - Upon Certification in 1996: 195
 - Currently: 55
 - A decrease of 140 facilities
- Total Number of Regulated APSA Tank Facilities:
 - Upon Certification in 1996: 1,205
 - Currently: 759
 - A decrease of 446 facilities

The information below is a comparison of the overall full-time equivalent (FTE) of CUPA personnel allocated to the implementation of the Unified Program upon certification of the CUPA with present-day circumstance and the degree to which allocated inspection and supervisory/management staff has increased or decreased. The information is sourced from the *City of Los Angeles Fire Department 1996 CUPA Application* and recent information provided by the CUPA.

- Inspection and other Staff
 - Upon Certification in 1996:
 - 3 Staff, each at a Full-Time Equivalent = 3 FTEs
 - 27 Staff, each at a Part-Time Equivalent = 13.5 FTEs
 - Currently:
 - 27 Staff at a Full-Time Equivalent = 27 FTEs
- Supervisory and Management Staff
 - Unable to determine the number of supervisory and management staff during certification in 1996:
 - Currently:
 - 6 Staff at a Full-Time Equivalent = 6 FTEs

RECOMMENDATION:

Continue to conduct the annual review and update of the fee accountability program to determine the current necessary and reasonable costs to implement all aspects of the Unified Program.

Continue to coordinate with the PA for implementation and oversight of the Hazardous Waste Generator (HWG) Program.

11. OBSERVATION:

On June 3, 2024, a CalARP oversight inspection was conducted at CERS ID 10303576. The inspector was well prepared for the inspection and reviewed relevant information, including the most current Risk Management Plan (RMP) prior to arriving at the facility. The inspector was

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
UNIFIED PROGRAM PERFORMANCE EVALUATION
PRELIMINARY SUMMARY OF FINDINGS REPORT

knowledgeable, established rapport with the facility operators, requested and reviewed the most current RMP information, toured the entire site, and effectively communicated technical information to the facility operators. The inspector continued to communicate with the facility following the inspection to address information that was unclear, incomplete, or missing during the onsite visit. The inspector extended assistance and training to the facility operators for familiarity with the CalARP Program requirements.

On June 4, 2024, an HMBP oversight inspection was conducted at CERS ID 10240885 and CERS ID 10870228 with different CUPA inspectors. Each inspector was well prepared for the inspection and reviewed relevant information prior to arriving at the facility. Both inspectors established rapport with the facility operators, toured the entire site, verified inventory, and emergency response plan information and training on site, and effectively communicated technical information to the facility operators. The inspectors identified and disclosed all violations.

RECOMMENDATION:

Continue to conduct thorough HMBP and CalARP inspections.

12. OBSERVATION:

In 2023 the CUPA developed a method to effectively extract CalARP-regulated chemicals from the hazardous materials inventory for all regulated sites. This process enabled the determination of whether a facility meets regulatory requirements, allowing for the identification of sites that should be regulated under CalARP. As a result, four CalARP-regulated sites were successfully identified in 2023 that were not previously identified by the CUPA as subject to the CalARP Program. These four sites are listed below:

CERS ID 10423828

- Threshold quantities of a regulated substance first reported to CERS in the hazardous materials inventory on August 28, 2020.
- Facility reported "Yes" to storing regulated substances onsite to CERS in the Business Activities on April 14, 2023.
- Routine inspection conducted on March 26, 2024.

CERS ID 10151919

- Threshold quantities of a regulated substance first reported to CERS in the hazardous materials inventory on February 26, 2019.
- Facility reported "Yes" to storing regulated substances onsite to CERS in the Business Activities on February 26, 2024.
- Routine inspection conducted on November 13, 2023.

CERS ID 10621300

- Threshold quantities of a regulated substance reported to CERS in the hazardous materials inventory from December 2, 2016, to April 28, 2023.
- Inspection conducted on November 13, 2023.
- As of April 15, 2024, threshold quantities of a regulated substance are no longer reported to CERS in the hazardous materials inventory.

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
UNIFIED PROGRAM PERFORMANCE EVALUATION
PRELIMINARY SUMMARY OF FINDINGS REPORT

CERS ID 10242808

- Threshold quantities of a regulated substance first reported to CERS in the hazardous materials inventory on December 3, 2020.
- Inspection conducted on September 14, 2022.

Additionally, the CUPA has assisted other CUPAs in evaluating their hazardous materials inventories for potential CalARP sites. The CUPA will present this methodology and its findings at the 2025 Unified Program Training Conference to promote statewide compliance and best practices within the CUPA community.

RECOMMENDATION:

Continue the assessment of facilities identified through the developed method to ensure that all CalARP-regulated substances stored above the regulatory threshold are properly managed. Continue to identify facilities that have threshold quantities of regulated substances and verify if those facilities are subject to the CalARP Program.

13. OBSERVATION:

The time to achieve RTC and use of progressive enforcement within the HWG Program could be improved.

The CUPA and the Los Angeles County Fire Department PA ensured 7,718 of 7,813 (99%) violations cited between October 1, 2020, and September 31, 2023, achieved RTC. RTC for violations regarding accumulation time limits of hazardous waste at VSQGs, SQGs, and LQGs (CERS ID 3030009, CERS ID 3030010, CERS ID 3030012, CERS ID 3130004), reflects:

- 118 of 338 (35%) violations did not achieve RTC within 75 days.
- 104 of 338 (31%) violations did not achieve RTC within 90 days.
- 81 of 338 (24%) violations did not achieve RTC within 120 days.
- The longest time to achieve RTC was 1,066 days.

Violations regarding accumulation time limits of hazardous waste typically carry an economic benefit from non-compliance. Review of CERS CME information finds the Los Angeles County Fire Department PA routinely conducts follow-up inspections as the primary method for determining RTC, including for many of the violations that did not achieve RTC within 75 days.

The number of Class I violations cited between October 1, 2020, and September 31, 2023, are fewer than the number of Class I violations cited by other CUPAs with developed enforcement programs.

Repeated Class II violations by recalcitrant violators are not consistently elevated to Class I violations.

RECOMMENDATION:

Apply progressive enforcement when violations are cited for recalcitrant violators and for those violators that take a long time to achieve RTC to ensure violations are corrected in a timely manner.

A progressive series of enforcement should be utilized as appropriate. Formal enforcement should be used as appropriate when informal enforcement fails to achieve RTC. The Los

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
UNIFIED PROGRAM PERFORMANCE EVALUATION
PRELIMINARY SUMMARY OF FINDINGS REPORT

Angeles County Fire Department PA I&E Plan includes procedures for applying progressive enforcement that can be implemented to provide a deterrent effect and prevent businesses from having an unfair economic advantage through non-compliance (page 11 of the Los Angeles County Fire Department PA I&E Plan). An option of progressive enforcement may be the establishment of a fee to charge recalcitrant facilities for additional follow-up inspections to verify RTC (page 15 of the Los Angeles County Fire Department PA I&E Plan), as well as the elevation of Class II violations from recalcitrant violators to Class I violations.

Follow-up inspections should aim to be conducted within a few days of the RTC date set by the inspector.