

CUPA Deficiency Status Report 4

Status Report Submitted: 9/28/07

CUPA Name: Shasta County Environmental Health

Date of Evaluation: October 25, 2005

Next Status Report Due: September 25, 2007

State Evaluation Team:

Cal/EPA Team Leader: Tina Gonzales

OES Evaluator: Jack Harrah

Based on the corrective action responses, the following deficiencies are considered corrected and no further updates are required: 1, 2, 3, 5

Please update the deficiencies below that remain in progress.

Deficiencies and Corrective Actions

1. **Deficiency:** CUPA not meeting required UST inspections each year.

CUPA Corrective Action Update #2: There have been several tank removals in the last year and a half, many of which have been non-regulated heating oil type tanks. This has taken many hours of our UST inspector's time. This also includes getting several UST's removed that have been inactive and out of compliance for many years, in some cases 15 or more years. We believe our regulated and permitted tank sites total is approximately 127. Our tank inspector was out sick several days near the end of the fiscal year and therefore did not get to the final few sites that needed to be inspected before 6/30/06. Continued follow-up on properly reporting inspections has also remained a priority. If you compare the inspection summary report #3 from 04/05 to 05/06 you will find that the numbers for the UST inspections make much more sense and the 05/06 reporting numbers are more in line with what would be expected.

Cal/EPA's 2nd Response: Cal/EPA considers this deficiency corrected.

2. **Deficiency:** CUPA UST files lack documentation that indicates violations noted during inspections have been corrected.

CUPA Corrective Action Update #2: I believe this has been addressed adequately in our previous responses. The UST inspector uses a number

a methods to track the correction of deficiencies noted during inspections. Specific site violations are tracked in the UST file (see copy provided), while general facility compliance is tracked in our database and on a spread sheet kept at the UST inspector's desk.

Cal/EPA's 2nd Response: The water board recommends that the CUPA place all UST inspection information in one location (or database). The water board has requested that the CUPA submit the following documents:

- a completed inspection report that has violations
- a screen shot of their database showing how inspection are recorded
- a copy of what is tracked in the file
- a copy of what is tracked at the UST inspector's desk

Please submit the above documents to Cal/EPA by April 5, 2007. If you have questions about the documents requested, contact Marci Christofferson at (916)341-5594.

Document Request: Please submit the documents requested by the water board to Cal/EPA.

CUPA Corrective Action Update #3: These documents were mailed to Cal-EPA between 3/14/07 & 4/5/07. An e-mail sent to Kareem Taylor on 3/14/07 which had our 2nd Corrective Action Update, a copy of our UST inspection report and a copy of our compliance tracking document. This e-mail also stated that a paper copy of the Corrective Action Update(CAU) would be mailed along with copies of amended Summary Reports (#2). The documents requested above should have been included with that mailing, however, Mr. Taylor has indicated that he did not receive the requested forms. These forms are being faxed to Mr. Taylor at 916-319-7847 on 6/25/07.

Cal/EPA's 3rd Response: Cal/EPA considers this deficiency corrected.

- 3. Deficiency:** During the last three years the CUPA has collected 85-90% of the surcharge needed to be collected.

CUPA Corrective Action: I have recently discovered that we have not been reporting corrected summary report #2, after collecting additional surcharges for previous reporting years. For example, we have collected \$1,722 in fiscal year 05/06 surcharges since 7/1/06. That means we have collected 97.2% of the billed surcharges for the 05/06 fiscal year. For the 04/05 fiscal year we have collected, since 7/1/05, an additional \$2,154 in surcharges. This makes our total collected 04/05 fiscal year surcharges

\$23,697, which is 97.8% of the total billed. Considering the number of businesses that close and from whom fees cannot be collected, I believe that is a very good percentage. I am mailing revised Summary Report #2 for the 04/05 & 05/06 fiscal years as documentation of what I have just discussed. We will submit revised reports in the future at the end of the fiscal year. Collected surcharges are remitted to the state quarterly.

I believe this should satisfy the deficiency regarding fee collection. Please let me know if you do not agree and please provide your reasoning.

Cal/EPA's 2nd Response: Cal/EPA has discovered an accounting discrepancy between the CUPA's FY 04/05 Summary Report 2 and the state surcharge accounting records for FY 04/05. The CUPA's FY 04/05 Summary Report 2 shows that the CUPA remitted more surcharge to the state than what the state surcharge tracking form indicates. There should have been an additional \$19,890 in state surcharge on the state record. The CUPA is currently working with Cal/EPA to resolve this problem.

Cal/EPA's 3rd Response: Cal/EPA considers this deficiency corrected.

4. **Deficiency:** CUPA has not yet obtained Business Plans from all farms and is not conducting inspections of all agricultural handlers.

CUPA Corrective Action Update #2: Our office has begun to collect HMBP's from Ag facilities. We will continue visit Ag sites and request HMBP's as we become aware of them. We have been in contact with the Ag Department and have requested that they communicate the HMBP requirement to sites that store reportable quantities of hazardous materials. We will be providing copies of the HMBP FAQ document to the Ag Department to handout to Ag sites and to display at there counter. There has not been a great deal of enthusiasm from the Ag Department regarding involvement in this matter.

Cal/EPA's 2nd Response: The CUPA's corrective action is a good start in the regulation of its AG handlers; however, there is still a lot more work to be done. On the next status report, please update Cal/EPA on the status of this deficiency.

CUPA Corrective Action Update #3: The status of the Farm & Ag facilities is the essentially the same as update #2. We have requested Business Plans from Ag sites when they are found. Since the last update there has been another inspector that is being trained and is completing HMBP & Hazwaste inspections. He is not full time in the Hazmat programs but has been very helpful. It was our hopes that before this update we could have this inspector make the initial efforts to create a list of potential Ag contacts and assist in the follow up that will be needed, but time ran

out. We do intend to do this in the next month or two, and fully expect that by the next update we will have this deficiency resolved.

Cal/EPA's 3rd Response: Cal/EPA and OES appreciates the CUPA's effort to correct this deficiency. On the next status report, please update Cal/EPA on the status of this deficiency.

CUPA Corrective Action Update #4: Unfortunately there has been little change to the status of this deficiency. The inspector that had been assigned part time to assist in the Hazmat Business Plan & Hazardous Waste programs has since been assigned other duties. I am awaiting approval from our administration to enter into discussions with the Ag Commissioner regarding having the Ag inspectors carry out the necessary inspections and collect required paperwork from Ag facilities. I have acquired forms used by the Humboldt County CUPA to develop an agreement with their Ag Department, and intend to use them if this type of agreement is approved by our Director and the Ag Commissioner. We have recently lost our underground tank inspector for an undetermined length of time and are currently training another inspector to take over the UST program responsibilities. This has been an unexpected obstacle in our continued effort to resolve this deficiency. I believe once our staffing is back to normal there may be extra time available to devote to this matter. Our hope is that this will be addressed before the end of the year and that our next update will be our last.

5. **Deficiency:** Due to substantial increase in the number of regulated businesses the CUPA has not inspected each business plan facility every three years. With the addition of Ag facilities this could make the situation worse.

CUPA Corrective Action Update #2: I believe this deficiency has been addressed. Our Summary report for 05/06 shows that we inspected 39% our HMBP facilities. (routine inspections)

Cal/EPA's 2nd Response: Cal/EPA considers this deficiency corrected.