

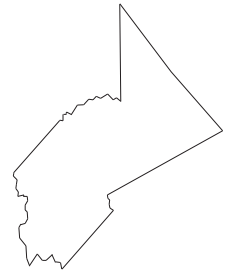


Stanislaus County

Department of Environmental Resources

CUPA Newsletter

July 2003, "News You Can Use"

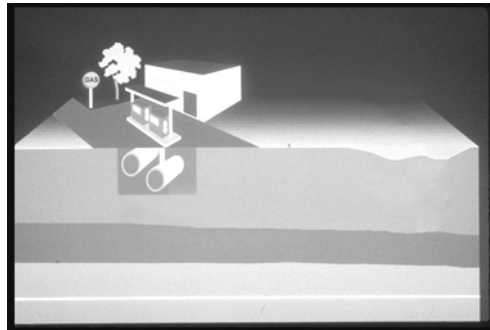


Welcome to the very first Stanislaus County CUPA newsletter. This is the first in a series of annual newsletters intended to educate and inform the owners and operators that are regulated under the CUPA with news you can actually use.

Offering Hazardous Waste for Transportation, the big picture

Since the events of September 11, 2001, businesses and government are more concerned with security, especially in handling or transporting hazardous materials or wastes that could be used as a weapon. Recent changes in State Law directly reflect this new concern. SB 1257 requires all generators and facility operators to check that the transporter has the correct driver's license and endorsement (H & SC 25160.7), that the vehicle is equipped with a working two-way radio or cell phone (VC 32001 (c)), and that vehicle locks (VC 32001 (c)(5)(A)) are used except when loading and unloading.

The HM regulations have always made the shipper legally responsible to identify the hazards of a material to be shipped, select the right packaging, and prepare the shipment so that it will arrive safely at its destination. Also, don't forget to include the four different forms of hazard communication information to accompany most shipments: a shipping paper, markings, labels, and placards.



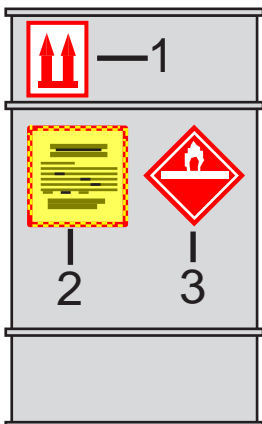
Underground Storage Tank Red Tag & Administrative Enforcement Order (AEO) Authority

Regulations became effective May 14, 2001 to implement the statutory requirement in H&SC section 25292.3. The section deletes requirements for an upgrade certificate of compliance and substitutes red tag authority. The section gives broad authority to local agencies to prohibit the sale and delivery of petroleum at a facility.

The Stanislaus County CUPA will be using the "red tag authority" to ensure that facilities that do not have under-dispenser containment by December 31, 2003 not dispense petroleum products after the deadline.

In This Issue:

- Offering Haz. Waste for transportation
- **Red Tag** Authority
- RMP update
- MTBE: What You Should Know
- Legislative updates
- Pollution prevention
- Ammonia Refrigeration and Safety
- New UST System requirements
- Free Waste and Energy Audits
- New State & County Fee's



1. Orientation Arrows (optional for single packaging)
2. Hazardous Waste Label
3. Primary Hazard Class Label

UPDATE: Stanislaus County CAL-ARP Program

This program requires businesses that handle more than a threshold quantity of a regulated substance to develop a Risk Management Plan (RMP).

Stanislaus County is in the process of reviewing submitted RMP's under Title 19 Section 2745.2 of the California Code of Regulations. Stanislaus County is required to review all RMP's and determine if all the elements, under Sections 2745.2 through 2745.9, are included. The Department is in the entitle review process for some RMP plans and upon completion will submit a public notice in the Modesto Bee. Upon the Department's approval of the initial submitted RMP plan a notice will be placed in the Modesto Bee for a 45 day public comment period. The Department will then begin the formal review process. The Department has already initiated some formal review processes.

MTBE: What You Should Know...

MTBE (Methyl Tertiary Butyl Ether) is something we have all heard of by now. Since the Mid-1980's it has been widely used throughout the country, especially in California where people love to drive and air quality is bad (MTBE was originally designed to reduce ozone and carbon monoxide emissions). Recently there has been a lot of focus on MTBE and its affinity for contaminating groundwater across the state. What does this mean for you, the Underground Storage Tank Owner/Operator? Maybe a lot, here are some reasons:

- * MTBE is 30 times more soluble than benzene in water. This means there is more of a chance that a leak in the UST System could result in a groundwater investigation.
- * MTBE is three times more volatile than benzene when moving from the liquid phase to the vapor phase. This means an essentially "tight" system may still report contamination during facility upgrade activities. Vapors containing MTBE leak out of the system into the surrounding subsurface.
- * MTBE is ten times less volatile than benzene when moving from the dissolved phase (in water) to the vapor phase. This means once the MTBE is in groundwater it is a lot harder to get out.

Underground Storage Tank regulations require that contaminated UST sites must be cleaned up to restore and protect groundwater resources and create a safe environment for those who live or work around these sites. Petroleum releases can contain contaminants like MTBE and other contaminants (like benzene) that can make water unsafe to drink. Releases can also result in fire and explosion hazards, as well as produce long-term health effects. California has established a fund to assist in cleaning up releases associated underground storage tanks. For more information regarding the UST Clean Up Fund Program please contact the State Water Resources Control Board by calling 1-800-813-FUND.

Legislative Updates

UST Program - Proposed Rulemaking "Electronic Submittal of Information" Regulations

The State Water Resources Control Board (SWRCB) is soliciting comments on proposed regulations for the electronic submittal of information for groundwater cleanup sites.



Further information on the proposed regulations can be found @

http://www.swrcb.ca.gov/cwphome/ust/docs/ab2886/rulemaking/june16_submittal.pdf

AB 0387 AGHAZARIAN Hazardous Materials: Farms

Sponsored by Stanislaus County, this bill would exempt a farm from filing a business plan & annual inventory if small amounts of oils, fertilizers and other haz. materials are stored for less than 10 days.

AB 1348 LOWENTHAL Used Oil: Mixtures

Allows a used oil transfer or recycling facility to mix used oil with a contaminated petroleum product or with an oily waste other than listed hazardous waste, if the facility is authorized by the DTSC.

State Surcharge increase

The State Surcharge is an assessment on each entity regulated under CUPA and is used to fund the necessary and reasonable costs of all State Agencies responsible for the program implementation, ongoing maintenance, and oversight. Current surcharge fees were established in 2001 at a low level due to an account reserve balance. For the Fiscal Year 2003-2004, the State Surcharge will be:

Hazardous Materials	\$24.00
Underground Storage Tank	\$15.00
California Accidental Release Prevention Program	\$350.00

THE WORLD WIDE WEB

Waste Prevention Information Exchange
<http://www.ciwmb.ca.gov/WPIE/>

MSDS Databases
<http://www.msdssearch.com/DBLinksN.htm>

Tox Town. An Introduction to toxic chemicals and environmental health risks you might encounter in everyday life, in everyday places <http://toxtown.nlm.nih.gov/main.html>

Peter Piper Picked A Peck of Pollution Prevention!

The automotive industry recently received statewide attention resulting in numerous outreach resources developed by the U.S. EPA and the California Department of Toxic Substance Control. One of these resources is the Auto Repair Pollution Prevention Tool Kit. This tool kit includes interesting flyers with humorous graphics, case studies showing successful implementation of pollution prevention and worksheets to help businesses in their efforts. The Automotive Pollution Prevention Toolkit (Fact Sheets) Best Management Practices for Auto Repair and Fleet Management can be found @ http://www.dtsc.ca.gov/PollutionPrevention/VSRfact_sheets_general.html & http://www.dtsc.ca.gov/PollutionPrevention/VSRfact_sheets_shops.htm

Topics range from, Antifreeze Recycling, Aqueous Brake Washers, Floor Cleanup, Oil Water Separators, Refillable Spray Bottles, and Aqueous Parts Cleaning for Auto Repair Shops with case studies

Industrial Assessment Center

San Francisco State University

At the IAC at SFSU, they will perform a no-cost analysis for small and midsize manufacturing facilities located within 150 miles of San Francisco on issues of: Energy Conservation (ECO), Waste Minimization (WMO), and Productivity Improvement (PIO).

In the course of the assessment of your site they will determine ways your company can increase productivity in a way that will increase profits. In their final report they will include an analysis to include any savings and a simple payback period representing the time it will take or your reduced costs to pay for any initial investment on the implementation of the ECO, WMO and/or PIO.

IAC contact info: Phone: (415)338-6218, Fax: (415)338-3086, web page: <http://sleepy.sfsu.edu/iac/>

The Evolution of the waste can



RUST GRANTS AND LOANS HELP TANK OWNERS COMPLY WITH UNDER-DISPENSER CONTAINMENT

Facilities without under dispenser containment will have to cease selling petroleum after December 31, 2003. Now RUST grants (up to 50k) and loans (up to 750k) are available to small independent Underground Storage Tank owners to comply with Senate Bill 989's requirements.

For more info contact:

Eric Watkins @ (916)323-9879, ewatkins@commerce.ca.gov
Carlos Nakata @ (916)323-2688, cnakata@commerce.ca.gov

Stanislaus County CUPA will be using the "red tag authority" to ensure that facilities without under dispenser containment not dispense petroleum products after the deadline.

STANISLAUS COUNTY ENVIRONMENTAL RESOURCES NEW FEE STRUCTURE

The population of the county is growing, the industry is growing, and the number of facilities requiring inspections is growing. To accommodate this growth and to offset the deficit, we have proposed a new fee schedule for various services.

UST Annual Fee		Misc. UST Fee's		Waste Generator Program	
1 - 3 tanks	\$339	Installation	\$1101	CESQG	\$35/75
4 - 6 tanks	\$423.75	Closure	\$508	Small Quan. Gen.	\$120/225
7 + tanks	\$593.25	Transfer	\$212	Large Quan. Gen.	\$400/525

As of July 1, 2003, the CESQG program will impose a fee for approved CESQG's disposal at the collection facility on Morgan Rd. Contact Jonathan Coley at 525.6700 for a breakdown of fees.

Our staff at Stanislaus County DER are dedicated to servicing our customers both the general public and the business community. We embrace Stanislaus County's Vision and mission to be the best in America while promoting environmental health and safety in a cost effective manner.

OSHA - Safety and Health Topics:

Ammonia Refrigeration

Anhydrous ammonia is widely used as refrigerant in many industrial facilities. Ammonia is considered a high health hazard because it is corrosive to the skin, eyes, and lungs. Prolonged contact at concentrations greater than 300 ppm can cause permanent injury or death. Fortunately, ammonia has a low odor threshold (20 ppm), so most people will seek relief at much lower concentrations. Ammonia is also flammable at concentrations of 15 to 28% by volume in air.

Accidental releases of ammonia from refrigeration facilities have resulted in both injuries and deaths to employees of these facilities. These have come from contact with both liquid and vapor forms of ammonia. Because refrigeration systems operate at elevated pressures, additional care must be taken to maintain and operate these systems so as to prevent releases with potentially catastrophic consequences. OSHA has developed web pages to assist employers in identifying and controlling the hazards associated with the operation and maintenance of ammonia refrigeration systems.

* Risk Management Program Guidance for Ammonia Refrigeration and other ammonia refrigeration guidance can be found at:

<http://www.osha-slc.gov/SLTC/ammoniarefrigeration/index.html>

The Stanislaus County CUPA Newsletter is published semiannually for owners and operators that are regulated under CUPA laws. The Stanislaus County CUPA Newsletter is not intended to replace industry standards or State and Federal CUPA laws and regulations.

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Stanislaus County DER - 525-6700

NEW UST SYSTEMS INSTALLED AFTER JULY 1, 2003

US systems installed after July 1, 2003 must meet the following:

- 1) Primary and secondary containment must be "product tight".
- 2) Secondary containment constructed to prevent water intrusion.
- 3) Constructed with a continuous monitoring system capable of detecting liquid or vapor and capable of detecting water intrusion.
- 4) The interstitial space maintained under constant vacuum or pressure.
- 5) Vent lines, vapor lines, and fill pipes must have secondary containment.
- 6) The UST must be tested after installation (but before being put into service) using a method approved by the State Water Resources Control Board (SWRCB)

Highlights of Senate Bill AB 2481 can be found @ www.swrcb.ca.gov/cwphome/uS/legal/Ab2481_table_final.pdf

Stanislaus County CUPA Inspections

Sections 25185 and 25508 of the Health and Safety Code requires CUPA's to inspect facilities that handle hazardous materials or generate hazardous waste. To this end, Stanislaus County Cupa follows general guidelines for completing thorough inspections. The following are some of the things you should expect during an inspection and steps you can take to help the inspection proceed smoothly and quickly.

- 1) Expect unannounced inspections. Because of scheduling conflicts it is sometimes hard to make appointments for every facility.
- 2) Facility walk-through includes looking at process and storage areas. Keeping these areas clean makes it easier to complete the inspection and helps to reduce workplace injuries.
- 3) Keep all Business plan, employee training, MSDS and waste records available for easy access. All haz. waste records must be kept for 3 years.
- 4) After the inspection, we will go over any areas that need attention and a report will be issued with a time frame for corrections. Failure to correct violations noted may result in legal action. If you can not meet the deadline call your inspector.