



OFFICE OF THE STATE FIRE MARSHAL ABOVEGROUND PETROLEUM STORAGE ACT (APSA) ADVISORY COMMITTEE

MEETING MINUTES

Monday, December 5, 2022

1:00 PM to 3:00 PM

CAL FIRE – Office of the State Fire Marshal
715 P Street, 9th Floor, Sacramento, California 95814

Note: This meeting was held via teleconference and in person.

Staff Present:

Jim Hosler, Assistant Deputy Director
Jennifer Lorenzo, Senior Environmental Scientist (Supervisor), Committee Chair
Denise Villanueva, Environmental Scientist
Mary Wren-Wilson, Environmental Scientist

Members Present:

Craig Fletcher, Fletcher Consultants, Inc.
Dante Wiley, Northern California Fire Prevention Officers (FPO)
Devra Lewis, Bay Area Region Certified Unified Program Agency (CUPA)
Eloy Luna*, Southern Region CUPA
Eric Scott*, Santa Fe Springs Fire Department
Greg Matas, Donlee Pump Company
Jason Rizzi*, Northern California FPO
Jeremy Gates, Southern California Edison
Jim Whittle, Co-Chair, Northern Region CUPA
Jovan Diaz, Glendale Fire Department
Lori Lucas-Nakagawa*, Pacific Gas and Electric (PG&E)
Michael Chilberto, Oil Changers
Michael Huber, U.S. Department of Defense Liaison
Stacey Miner*, Walmart

Subject Matter Experts:

Janice Witul, U.S. Environmental Protection Agency (US EPA)
Joe Mentzer, Steel Tank Institute (STI)/Steel Plate Fabricators Association (SPFA)
John Paine, California Environmental Protection Agency (CalEPA)
Peter Reich, US EPA

Guests Present:

Alvin Lal, Stanislaus County CUPA
Christina Graulau, U.S. Department of the Navy
Miguel Jimenez, Monterey County CUPA
Steve Lichten, ESCI EnviroServices, Inc.
Yama Noorzai, Stanislaus County CUPA

Members Absent:

Mark Taylor, Mosier Bros.
Monica Ronchetti, Southern Region CUPA

*Alternate member

I. Call to Order and Introductions

Committee Chair, Jennifer Lorenzo, called the meeting to order at 1:33 p.m. and welcomed everyone to the meeting. Attendees and guests introduced themselves.

II. Roll Call/Determine Quorum

Ms. Mary Wren-Wilson conducted the roll call, and it was determined that a quorum was present.

III. Approval of Minutes

Minutes from the meeting on December 6, 2021, were reviewed. Ms. Devra Lewis motioned to approve the minutes, and Mr. Craig Fletcher second the motion. All other committee members in attendance were in favor and none opposed.

IV. Announcements

A. State Fire Marshal

Committee Chair announced Chief Richwine will be retiring at the end of the month. The position is a political appointee by the Governor. If no one is appointed, Assistant State Fire Marshal Chief Collins may be the acting State Fire Marshal.

B. Member Updates

Committee Chair announced member updates. Jeremy Gates replaced Mark Landin from Southern California Edison. Jovan Diaz and Eric Scott will be representing fire services.

There are vacant positions representing the oil industry, such as those from the California Fuels and Convenience Alliance and the Western States Petroleum Association. A position representing the Southern California FPO is also vacant. Central Region CUPA representative is vacant. And a representative for the farm community is vacant.

V. **APSA Program Updates**

A. Regulations

The APSA Program rulemaking package has been submitted to the Office of the State Fire Marshal Code Development and Analysis Division (CDA). CDA will be in charge of preparing the package for submittal to the Office of Administrative Law (OAL).

Tanks in underground areas (TIUGA) regulations that were developed per Senate Bill (SB) 612 and Assembly Bill (AB) 2902 may be incorporated into the APSA program rulemaking package.

There were four TIUGA sections that needed to be addressed as far as non-building standards of requirements. The other TIUGA rulemaking was completed through the California Code of Regulations Title 24 (building standards codes) rulemaking process.

In February 2023 or early March, there will be a chance to review the rule making package. Committee Chair will send out a doodle poll to set a date to review the changes.

The rulemaking package is predicted to be submitted to OAL late spring or early summer depending on feedback.

B. Training

APSA Basic Inspector Training

The current platform for the online APSA Basic Inspector Training course is through Blackboard's Learning Management System (LMS). All modules have been incorporated into the new platform.

A separate course with the narration fast-forward or rewind feature removed has been developed to address 'speeders', but it is currently not being implemented. This separate course has yet to be reviewed before implementation.

There are a total of 19 chapters; 18 are sharable content object reference models (SCORM) files.

Ms. Mary Wren-Wilson provided statistics on APSA training. The new APSA Basic Inspector Training program via the Blackboard platform currently has 150 people enrolled, 102 completed and passed the training, and 22 are still actively taking the course.

Annual Unified Program Training Conference

Committee Chair stated the annual Unified Program training conference (commonly referred to as 'CUPA conference') is being held in Anaheim the week of March 20, 2023 – March 23, 2023. There will be more than 10 tracks, including an industry track. The APSA track will have several classes varying from refreshers, violations, and Spill Prevention, Control, and Countermeasure (SPCC) Plans for qualified facilities.

Mr. Joe Mentzer confirmed there are two STI sessions at the conference. The sessions focus on generators. One session will cover general information on generators, while the other session will be more specific on generators, including fuel quality and proper maintenance.

Other Related Training

Committee Chair announced there will be a two-day advanced Aboveground Storage Tank (AST) training for CUPAs.

Ms. Devra Lewis provided more information about the advanced AST Training. The prerequisite is having completed and passed the APSA Basic Inspector Training. The training will be held in Orange County and begins on February 16, 2023.

There is an STI SP001 aboveground tank system inspector training.

Mr. Joe Mentzer confirmed the STI SP001 aboveground tank system inspector training will be in Alameda in April 2023. A second training will be in Long Beach in September 2023.

Committee Chair stated CUPAs are providing other trainings and they may allow neighboring counties to attend.

Mr. Yama Noorzai stated Stanislaus County CUPA holds two trainings annually. The trainings cover Hazardous Materials Business Plan (HMBP), hazardous waste, and APSA. Outside companies, like Condor, provide information during the trainings.

C. California Environmental Reporting System (CERS)

The help or information text for the Business Activities APSA applicability question has been updated to assist farms due to the Federal Water Resources Reform and Development Act (WRRDA) and Senate Bill (SB) 612 oil applicability thresholds. This issue will potentially be addressed in the CERS NextGen Project, but feedback from stakeholders would be helpful. There was a suggestion to implement a decision tree to address the issue.

VI. New Business

A. Assembly Bill (AB) 2511

AB 2511 was passed in September 2022. Skilled nursing facilities are now required to have an alternate source of power for 96 hours; previously it was 6 hours. Approximately 1,200 – 1,500 skilled nursing facilities will be impacted. Majority of facilities will be using or adding an emergency generator. Department of Health Care Access and Information (HCAI) are the building code officials for the skilled nursing facilities. CUPAs and Fire Departments will see an influx or increase in inventory. Facilities must implement AB 2511 by January 2024.

B. Violation Library

CalEPA started the workgroup process again to review the list of current violations for any edits to existing violations or add violations.

Mr. Jim Whittle confirmed there are currently 99 APSA violations. Edits to the current violation library will be implemented in July 2023.

C. Inspection and Violation Trends

Committee Chair displayed the following graphs.

1. APSA inspection trends based on fiscal year (FY) and sorted by routine versus other inspections.
2. Number of APSA violations issued per fiscal year, sorted by violation classification.
3. Number of no SPCC Plan (or failure to prepare SPCC Plan) violations issued per fiscal year.
4. Top 3 violations issued per fiscal year.

VII. Members Organization Updates

A. CUPA Regions

Northern Region: None

Bay Area Region: None

Southern Region: None

Central Region: None

There is a tentative date in March 2023 for the next APSA Technical Advisory Group (TAG) meeting.

B. Fire Prevention Officers

None

C. Industry Stakeholders

The Industry TAG will meet later this week.

D. US EPA

US EPA and CalEPA created a Memorandum of Understanding (MOU) agreement relating to environmental justice. Environmental justice communities are being scoped to see what can be done.

Mr. Peter Reich stated there may be an expectation for some oil production facilities to be inspected in later 2023. CUPAs that will potentially be impacted include, but not limited to, Los Angeles, Orange County, Monterey, and San Luis Obispo. CUPAs will be informed in advance.

E. STI/SPFA

Mr. Joe Mentzer provided an update. The SP001 and SP031 standards revision efforts are underway. Stakeholders have been informed that comment submissions are being accepted. STI should have revised versions (7th edition for SP001 and 6th edition for SP031) sometime in 2023.

VIII. Open Forum and Public Comments

None

IX. Action Items

A. APSA Regulations, Including Timeline

B. CERS Business Activities – APSA Applicability Question and Farms

X. Schedule Next Meeting and Adjourn

The Committee Chair will send out a “Doodle” poll to the members to determine the best available date for the next committee meeting.

The Committee Chair requested to adjourn the meeting. Mr. Craig Fletcher motioned to adjourn the meeting and Ms. Devra Lewis second the motion. All other committee members that were present were in favor and none opposed.

The meeting was adjourned by the Committee Chair at 2:40 p.m.

ATTACHMENTS