



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

## MEETING MINUTES

**Monday, December 6, 2021**

**9:30 AM to 11:30 AM**

CAL FIRE – OSFM, 715 P St, 9<sup>th</sup> Floor, Allen Room, Sacramento, California 95814

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

### **Staff Present:**

Jennifer Lorenzo, Senior Environmental Scientist (Supervisor), Committee Chair  
Kevin Chan, Special Assistant to the State Fire Marshal  
Mary Wren-Wilson, Environmental Scientist

### **Members Present:**

Craig Fletcher, Fletcher Consultants, Inc.  
Dante Wiley, Northern California Fire Prevention Officers (FPO)  
Devra Lewis, Contra Costa County Hazardous Materials Certified Unified Program Agency (CUPA)  
Eloy Luna,\* Los Angeles City Fire CUPA  
Gareth Smythe,\* U.S. Department of the Navy  
Jason Rizzi,\* Northern California FPO  
Jim Whittle, Co-chair, Shasta County Environmental Health CUPA  
Lori Lucas-Nakagawa,\* Pacific Gas and Electric (PG&E)  
Mark Landin, Southern California Edison  
Mark Taylor, Mosier Brothers  
Michael Chilberto, Oil Changers  
Mike Huber, U.S. Department of the Navy  
Sam Bayless, California Fuels & Convenience Alliance  
Stacey Miner,\* Walmart

**Members Absent:**

Greg Matas, Donlee Pump Company

\*Alternate member

**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)

Pete Reich, US EPA

Steve Pollock, STI/ SPFA

**Guests Present:**

Alyssa Cordova, Glenn County CUPA

Justin Tao, Los Angeles County Fire CUPA

Nadia Borisova, East Bay Municipal Utility District

Ruben Hernandez, Stanislaus County Environmental Resources CUPA

Daniel Yniguez, Los Angeles County Fire CUPA

Christina Graulau, U.S. Department of the Navy

Resham Sandhu, Stanislaus County Environmental Resources CUPA

Candice Kretschmer, Ventura County Environmental Health CUPA

Steve Lichten, ESCI Environmental Services

**I. Call to Order and Introductions**

Committee Chair, Jennifer Lorenzo, called the meeting to order at 9:34 a.m. and welcomed everyone to the meeting. Attendees and guests introduced themselves.

**II. Roll Call/Determine Quorum**

Mr. Kevin Chen conducted the roll call, and it was determined that a quorum was present.

**III. Approval of Minutes**

Minutes from the meeting on December 14, 2020, were reviewed. Mr. Sam Bayless motioned to approve the minutes, and Mr. Jim Whittle second the motion. All other committee members in attendance were in favor and none opposed.

**IV. Announcements**

A. The OSFM headquarters relocated to the new California Natural Resources Agency building in downtown Sacramento.

B. Two new Environmental Scientists have been hired for the OSFM "CUPA" program.

C. The Department of Forestry and Fire Protection (CAL FIRE) Director Chief Thom Porter and Deputy Director Chief Craig Tolmie are retiring this month.

D. New committee members and vacancies:

1. Monica Ronchetti is representing the Southern Region CUPA with Eloy Luna as the alternate.
2. Mark Landin is now the primary for the utilities and power companies.
3. Mark Taylor is representing tank manufacturers.
4. Positions representing the following organizations or industry are vacant: Central Region CUPA, Southern California Fire Prevention Officers, telecommunications, oil industry (Western States Petroleum Association), and farms-agriculture.

V. **APSA Program Updates**

A. Draft APSA Program Updates

Main rulemaking package should be ready for legal review by spring 2022 and forwarded to the OSFM Code Development and Analysis Division by May 2022 with submittal to Office of Administrative Law (OAL) by summer 2022.

The OSFM Code Development and Analysis is in the process of filling their vacancy and training new staff.

B. Tanks in Underground Areas (TIUGA)

Information on TIUGAs is posted on the web:

<https://osfm.fire.ca.gov/divisions/pipeline-safety-and-cupa/certified-unified-program-agency-cupa/aboveground-petroleum-storage-act/tank-in-an-underground-area-tiuga/>.

The CUPA Forum Board videotaped the training on TIUGAs from the 2020 Unified Program Training Conference [commonly known as the 'CUPA conference']. The training is available to attendees of the 2020 CUPA conference.

A CUPA mentioned the main issue with TIUGA inspections at this time is that administrative review is happening offsite because of COVID restrictions, and it can be difficult to get the documents from the facility in a timely manner.

Ms. Devra Lewis mentioned her agency having to adjust their Inspection and Enforcement Plan to reflect facilities with less than 1,320 gallons and TIUGAs. Many facilities do not know that the TIUGAs are required to be inspected under APSA.

Ms. Stacy Miner stated there are more CUPA inspectors asking about and performing APSA inspections, but there is still a gap in knowledge. Field experience is being gained. It is important that inspectors make appointments or request documents ahead of time due to low staffing.

C. APSA Basic Inspector Training, Annual Unified Program Training and other related training

1. APSA Basic Inspector Training

Contract ended with the Open LMS platform. Program went through the bidding process twice and finally awarded a new contract before the end of fiscal year 2020-2021. The online APSA Basic Inspector Training course is now available on the new platform. Chapter updates will be done in phases due to cost.

There have been some technical glitches, but program managed to work around them. Some changes to the online course include: a required field inspection component along with an APSA trained inspector; and the exam must be taken Monday through Friday between 8 a.m. and 4 p.m. (excluding holidays). The exam requires access code. Certificates are issued separately via email.

2. Annual Unified Program Training Conference

No update on the 8-hour online training on “How to Prepare Tier I Qualified Facility SPCC Plan Template,” which was previously posted on the San Diego County CUPA website. However, the CUPA Forum Board videotaped several conference training sessions on the APSA Program and SPCC topics. A class on preparing an SPCC Plan will continue to be provided at the CUPA conference.

The 2022 CUPA conference will be held virtually from March 22 through March 31, 2022. At least six APSA track sessions will be offered.

3. Other Related Training

STI SP001 training will be held at Walnut Creek in early April 2022. Details for all STI training can be found at:

<https://www.steeltank.com/Education/EducationandTraining/tabid/781/Default.aspx>.

D. APSA Frequently Asked Questions (FAQ)

The FAQ was reviewed by management and legal. The document does not need to be voted on at this point and can be viewed publicly at:

<https://osfm.fire.ca.gov/media/z4zlg3pr/apsa-faq-12apr2021-final.pdf>.

E. California Environmental Reporting System (CERS) Help Materials

There are three CERS help materials that were updated this year by program.

1. Aboveground Petroleum Storage Tank Facility Statement Reporting Requirements  
<https://osfm.fire.ca.gov/divisions/pipeline-safety-and-cupa/certified-unified-program-agency-cupa/aboveground-petroleum-storage-act/aboveground-petroleum-storage-tank-facility-statement-reporting-requirements/>
2. Is My Facility Regulated Under APSA?  
<https://osfm.fire.ca.gov/divisions/pipeline-safety-and-cupa/certified-unified-program-agency-cupa/aboveground-petroleum-storage-act/is-my-facility-regulated-under-aboveground-petroleum-storage-act-apsa/>
3. Preparing an APSA Submittal  
<https://osfm.fire.ca.gov/divisions/pipeline-safety-and-cupa/certified-unified-program-agency-cupa/aboveground-petroleum-storage-act/preparing-an-apsa-submittal-in-cers/>

CalEPA staff has been contacted to ensure the updated materials will be available in CERS Central (<https://cers.calepa.ca.gov/>).

## VI. New Business

### A. CERS NextGen Project (<https://cers.calepa.ca.gov/cersnextgen/>)

Mr. John Paine stated a workgroup has completed detailed work requirements except for technical requirements. The anticipated completion of system requirements is spring 2022. Request for proposal will go out at that time for development of the system.

Mr. Paine also mentioned that CalEPA currently went out to bid for a clean-up contract prior to data migration. Businesses and CUPAs will be affected. CalEPA interviewed a contractor to look at the current CERS system to identify risks such as outdated licensees, platforms.

### B. Updated APSA Documents

1. Tier II Qualified Facility SPCC Plan Template  
Updated for accuracy and American Disabilities Act (ADA) compliance.
2. Tank Facility Statement Template  
Updated for accuracy and ADA compliance.
3. Monthly TIUGA Checklist for Facilities with Less Than 1,320 Gallons  
Updated as fillable form and ADA compliance. Available on the web.
4. Violation Library  
CalEPA will have a workgroup to work on next year's process for new violations or edits.

Mr. Jim Whittle mentioned the next meeting is scheduled for later this week. Nothing specific has been discussed yet.

Ms. Devra Lewis stated there is nothing significant for APSA, but correction to citations and additional language descriptions to Tier I and Tier II qualified facilities.

**VII. Member Organization Updates**

A. Bay Area Region CUPAs – None

B. Northern Region CUPAs – None

C. Southern Region CUPAs – None

D. Central Region CUPAs – None (vacant position)

E. APSA Technical Advisory Group (TAG)

There was a change of Co-Chair. Ms. Devra Lewis stepped down and is replaced by Ms. Robin Ward of Santa Clara County CUPA. Ms. Monica Ronchetti is now the Issue Coordinator. Next APSA TAG meeting will be in May 2022.

F. US EPA

Portable generators were discussed with PG&E and OSFM in May 2020. Several options were provided to meet Federal SPCC requirement.

The Committee Chair also mentioned a US EPA Wildfire Guide was developed for underground storage tanks (UST) and aboveground storage tanks (AST) in response to recent wildfires ([https://www.epa.gov/system/files/documents/2021-09/wildfire-guide\\_8-31-21\\_0.pdf](https://www.epa.gov/system/files/documents/2021-09/wildfire-guide_8-31-21_0.pdf)).

G. Industry – None

H. Northern California FPO

Mr. Jason Rizzi asked if the State was going to adopt the Underwriters' Laboratories (UL) 142 updates and mentioned the fire code is still referencing the 2018 version of UL 142.

The Committee Chair was not sure and will check with the OSFM Code Development and Analysis Division.

Ms. Devra Lewis requested the Industry TAG compile information on the APSA requirements that need to be clarified for Unified Program Agency (UPA) inspectors and topics not being addressed or known by UPA inspectors, so the information can be incorporated in future course updates to the online course.

**VIII. Open Forum and Public Comments**

None

**IX. 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.

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Meeting Minutes  
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The Committee Chair requested to adjourn the meeting. Ms. Devra Lewis motioned to adjourn the meeting and Mr. Craig Fletcher second the motion. Each committee member that was present was in favor; however, Mr. Jason Rizzi opposed.

The meeting was adjourned by the Committee Chair at 10:51 a.m.