**Proposed Amendments and Ideas for California Code of Regulations, Title 19, Division 1, Chapter 11**

**For Aboveground Petroleum Storage Act (APSA) Advisory Committee Meeting on June 16, 2025**

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| **Section** | **Proposed Amendments** | **Justification** | **Advisory Committee Notes** |
| 1601 | Scope: Legislative References for Inclusions~~,~~ and Exclusions | Remove unnecessary comma (typo error) in section title for proper grammar |  |
| 1601(c) | A storage tank or tank facility is not subject to these regulations if it meets any of the criteria referenced in the HSC Section 25270.2(a)(1)-(8). | Delete extra space between 25270.2 and (a)(1)-(8) for consistency with other referenced citations. |  |
| 1608 | Terms in these regulations and the preparation and implementation of a Spill, Prevention, Control, and Countermeasure Plan (SPCC Plan) have the same meaning as defined in the Code of Federal Regulations Title 40, Part 112, with exceptions to the following terms, which are defined in HSC Section 25270.2~~.~~: tank facility, owner or operator, and petroleum. | Remove period (typo error) after 25270.2 for proper grammar/sentence structure. |  |
| 1611(a)(7) | The training and discharge prevention briefings are conducted. Records of the training and discharge prevention briefings are ~~documented~~ maintained for a minimum of ~~3~~ three years. Records of training and discharge prevention briefing kept under usual and customary business practices will suffice for purposes of this subsection. | Clarification based on original intent, which was to maintain records for three years, not to document records for three years only. Records are documents.  For consistency, spell out numbers if less than 10 and write the numbers if 10 or higher. |  |
| 1614(d) | Sections 1614(a)(2), 1614(a)(3), and 1614(a)(4) shall not apply to any owner or operator of a tank facility that meets the requirements of HSC Section 25270.4.5(b). | Delete space between 25270.4.5 and (b) for consistency with other referenced citations. |  |
| 1615(a) | UPA staff who inspect tank facilities for SPCC Plan compliance must obtain at least ~~6~~ six hours of refresher training every ~~3~~ three years. The 3-year cycle begins from the date of the completion of the training required by HSC Section 25270.5~~.~~(c) or from December 17, 2024, whichever is more recent. | Spell out numbers if less than 10 and use the number if 10 or higher. Exception is when the number is followed by a hyphen. Remove extra space between 3 and -year for proper structure. Remove unnecessary period (typo error) between 25270.5 and (c). |  |
| 1615(c) | UPA staff who only inspect tank facilities that meet the requirements of HSC Section 25270.4.5(b) are not subject to the training requirements in Section 1615. | Remove extra space between 25270.4.5 and (b) for consistency with other referenced citations. |  |
| 1616 | The UPA shall notify the Regional Water Quality Control Board if the UPA has determined that cleanup or abatement of a release from an aboveground storage tank at a tank facility is required, or additional investigation is necessary to determine if cleanup is required~~,~~. ~~the~~ The UPA shall coordinate with the Regional Water Quality Control Board regarding the investigation, cleanup, and abatement activities. | Clarification and separate different statements into separate sentences. |  |

**New Ideas and Proposals for CCR Title 19, Division 1, Chapter 11**

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| **Reference** | **Idea or Proposal** | **Justification** | **Advisory Committee Notes** |
| 40 CFR 112.1(d) | Aboveground storage tank (AST) or container exclusions from the SPCC rule:  -heating oil used solely at a single-family residence  -permanently closed tank  -motive power container  -pesticide application equipment and related mix containers or AST  -any facility or part thereof wastewater treatment and not used to satisfy any requirement of [Part 112]. The production, recovery, or recycling of oil is not wastewater for purposes of [the SPCC rule]. Additionally, the intended use of an oil/water separator (OWS) determines whether the separator is subject to the SPCC rule and, if so, certain provisions may be applicable.  Also, apply the wastewater treatment exclusion to water treatment. | Consistency with the SPCC rule. | Ask US EPA: Clarify the wastewater exclusion. |
| 40 CFR 112.8(d)(3) | 112.8(d)(3) - *Properly design pipe supports to minimize abrasion and corrosion and allow for expansion and contraction.*  Apply this requirement to all APSA tank facilities, regardless of SPCC Plan type/status. | Consistency with building standards code requirements. | Ask US EPA: Why is this section not applicable to Tier I qualified facility SPCC Plan template? What is the rationale for this requirement in the SPCC rule? |
|  | Sampling capability for UPAs:  -known releases or spills at a tank facility  -closure of AST system (including associated piping and appurtenances) of a tank facility | To provide explicit authority for an UPA to require tank facilities when there is a known release or spill at a tank facility, or when a tank is being closed and removed from a tank facility. Sampling is necessary to confirm if facility needs to be referred to the State and Regional Water Boards for potential cleanup or abatement efforts. | Ask CUPAs: What other Unified Program elements provide this authority? |
| API 651 – section? | Require an owner or operator to document why required or mandated actions are not being followed based on the formal inspections per industry standard.  Apply this requirement to tank facilities with aboveground storage tanks listed to UL 142, UL 2085, etc. that follow the SP001 inspection standard. | This is an existing requirement for tank facilities built to API 650 standards and follow API 651 inspection standards. However, there is no such explicit requirement in the SP001 inspection standard when required actions are not followed by the owner or operator. |  |
| CCR, Title 23, Division 3, Chapter 16, Section \_\_\_\_\_\_ | Annual testing of leak detection device or equipment on piping associated with category (iv) tanks in an underground area (TIUGA) | To ensure proper operation of the leak detection device or equipment. Prior to TIUGAs being regulated under APSA, these systems were subject to underground storage tank (UST) requirements, including leak detection on associated piping. This proposal is consistent with UST requirements.  Ask STI/SPFA: Is this on the monthly or annual inspection checklist? |  |