|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Origin** | **Comment** | **References and Notes** | **Summary of Comment** | **Advisory Committee Input**  |
| Scott Fazekas | It sounds like the statute will mandate local adoption of regulations. | No reference provided |  |   |
| Scott Fazekas | Will this apply toabove ground oil refineries? | No reference providedNoteHealth and Safety Code 25270.3 |  |  |
| Scott Fazekas | Will it have an effective date for new work underconstruction or will it require retrofitting existing facilities already under operation?Your opinion would be very helpful for projects underway. | No reference providedNotes: These requirements are found State statute and federal regulation. The local Authority Having Jurisdiction (AHJ) should be contacted in this matter.  |  |  |
| Daniel Yniguez, LA County | why use MAY? Does this mean it is still optional for the CUPAs to enforce? I thought there was a push to make these inspections mandatory? | Reference ISOR for proposed sections 2310 and 23202310 Inspection Determination for facilities with less than 10,000 gallons of petroleum storage capacity that are required to prepare an SPCC Plan(a)The Unified Program Agency **may** inspect tank facilities with a petroleum storage capacity of less than 10,000 gallons at least once every three years, to ensure compliance with these regulations.2320 Inspection Determination for facilities that are conditionally exempt from preparing an SPCC Plan(a) The Unified Program Agency may inspect tank facilities that meet the conditions as described in Health and Safety Code Section 25270.4.5(b) at least once every three years. |  |  |
| Daniel Yniguez, LA County | why would an OPEN or EXISTING violation for more than 6 years or 2 inspections be allowed? | 2340 Overview of Enforcement (f) The UPA shall pursue formal enforcement, as defined CCR 27 Section 15110(e), to obtain compliance from any owner or operator of a tank facility with a violation that remains open or uncorrected for more than six years or after two APSA routine inspection cycles, whichever is less |   |   |
| Daniel Yniguez, LA County | after hours spill response? | 2350 Owner or Operator Instructions During Inspections(a) The owner or operator of a tank facility shall have the SPCC Plan and all applicable required records and documentation available for review upon request by the UPA during normal working hours. |  |   |
| Daniel Yniguez, LA County | how long does the UPA have to review? | 2360 Owner or Operator Electronic Reporting Requirements (e) Each UPA shall review the information submitted by each tank facility as required under subsection (a) and Health and Safety Code Section 25270.6(a) and ensure the information is complete. Note: No concrete timeframe within regulations or statute of any of the united program elements. |  |  |
| Daniel Yniguez, LA County | How does the UPA notify? Via CERS electronic notification or by an inspection report? or both?Is the submitted corrected information required to be reviewed by the UPA?  | 2360 Owner or Operator Electronic Reporting Requirements (f) If, after review, the UPA determines that the owner or operator of the tank facility is deficient in satisfying the requirements of Section 2360, the UPA shall notify the owner or operator of those deficiencies. The owner or operator of the tank facility shall electronically submit corrected information within 30 days from the date of the notice. Note: Up to the CUPAs, depends on how they want to manage their data flow. Via email, via a regulator response within CERS. CUPAs should determine this. “Is the submitted corrected information required to be reviewed by the UPA” |  |  |
| Daniel Yniguez, LA County | 1. Is there a standard on who can conduct the training?
2. What kind of accreditation does the trainer need?
3. Does the training need to be spread out or can it be done at one 6 hour training?
 | 2370 UPA Staff Training Minimum Requirements(a) UPA staff who inspect tank facilities for SPCC Plan compliance must obtain at least 6 hours of refresher training every 3 years. The 3 -year cycle begins from the date of the completion of the training required by Health and Safety Code Section 25270.5.(c) or from the effective date of these regulations, whichever is more recent.(1) The training must include SPCC Plan provisions, safety requirements for aboveground storage tank inspections, or generally accepted industry practice related to aboveground storage tanks.(2) Training may be in the form of a seminar, lecture, conference, workshop, online training, or other similar method.Note: Reference ISOR for 2370 |   | 1,2,3, |