



**DEPARTMENT OF FORESTRY AND FIRE PROTECTION  
OFFICE OF THE STATE FIRE MARSHAL**

P.O. Box 944246  
SACRAMENTO, CA 94244-2460  
(916) 445-8200  
Website: [www.fire.ca.gov](http://www.fire.ca.gov)



**Office of the State Fire Marshal  
Aboveground Petroleum Storage Act Advisory Committee**

**Draft Meeting Minutes**

Meeting Date: January 20, 2015  
Meeting Time: 10:00 am – 12:00 pm  
Meeting Location: Office of the State Fire Marshal, Training Conference Room  
1131 S Street  
Sacramento, California 95811

**Staff Present:**

Jennifer Lorenzo, Senior Environmental Scientist, Committee Chair  
Denise Gibson, Senior Environmental Scientist  
Jenna Yang, Environmental Scientist

**Members Present:**

Craig Fletcher,\* Fletcher Consultants, Inc.  
Andrea Fox,\* California Farm Bureau Federation  
David Harris\*, Donlee Pump Company  
Michael Huber,\* Department of the Navy  
Jay McKeeman,\* California Independent Oil Marketers Association  
Vince Mendes,\* Fresno County Environmental Health Certified Unified Program Agency (CUPA)  
John Paine,\* California Environmental Protection Agency (CalEPA)  
Sande Pence,\* San Diego County Environmental Health CUPA  
Todd Tamura,\* Tamura Environmental, Inc. (Consultant to Western States Petroleum Association [WSPA])  
Nathaniel Wall,\* American Petroleum Institute (API)  
Janice Witul,\* U.S. Environmental Protection Agency (US EPA)  
Patrick Wong,\* Pacific Gas and Electric (PG&E)

**Guests Present:**

Christina Graulau,\* Department of the Navy  
Nancy Schlotthauer,\* San Bernardino County CUPA  
Diane Griffin,\* Lawrence Livermore  
Janet Bell,\* Metropolitan Water District

\* *Via Conference Call*

**Members Absent:**

Jason Boezter, Calaveras County Environmental Health CUPA  
Raymond Bizal, National Fire Protection Association (NFPA)  
Stephen Crimauodo, American Petroleum Institute  
Armand Delgado, Verizon Wireless  
Louis Dinkler, Air Resources Board  
Rich Erickson, Donlee Pump Company  
Laura Fisher, State Water Resources Control Board (State Water Board)  
Philip Gairson, Southern California Fire Prevention Officers  
John Gamper, California Farm Bureau Federation  
Wayne Geyer, Steel Tank Institute (STI)  
Joyce Jaszarowski, Division of Oil, Gas, and Geothermal Resources (DOGGR)  
Michele Le, PG&E  
Peter Reich, US EPA  
Jason Rizzi, Northern California Fire Prevention Officers  
Randy Sawyer (Co-Chair), Contra Costa County Hazardous Materials Division CUPA  
Patty Senecal, WSPA  
Stuart Strum, Defense Logistics Agency  
Mike Vizzier (Co-Chair), San Diego County Environmental Health CUPA

**I. Call to Order**

Committee Chair, Jennifer Lorenzo, called the meeting to order at 10:03 a.m. and welcomed everyone to the meeting.

**II. Roll Call and Introductions**

Jenna Yang conducted the roll call and it was determined that a quorum was present. Attendees and guests introduced themselves.

**III. Approval of Minutes**

Minutes from the meeting on October 27, 2014, were reviewed. No other changes were suggested. Jay McKeeman motioned to approve the minutes and Andrea Fox seconded the motion. All members were in favor and none opposed.

#### **IV. Review of Action Items from July 24, 2014**

##### Completed Action Items

1. All members were sent electronic copies of the documents discussed at the October 27, 2014 committee meeting.
2. All members who were interested in attending the Office of the State Fire Marshal (OSFM) and Farm Bureau meeting on November 14, 2014, were sent invitations.

##### Ongoing Action Items

1. Violation Library and Classification for the Aboveground Petroleum Storage Act (APSA) Program
2. APSA FAQ
3. Tier II Qualified Facility Spill Prevention, Control, and Countermeasure (SPCC) Plan Template

#### **V. Old Business – Workgroup Updates**

##### **A. Regulations**

The regulations workgroup has met at least twice since the last committee meeting. Revisions to sections were made with regards to the comments provided by the OSFM Code Development and Analysis Division. The group is almost complete with developing the language for regulations. The next step is to put the package together.

Sande Pence briefly reviewed each proposed section of the regulations. Most sections had no further additional comments for changes, with two sections still pending further revision. Some committee members had concerns about the language provided for some sections such as the phrase “protection of natural resources,” inspection authority for facilities below 1,320 gallons, inspections for tanks in underground areas, and language specific to federal facilities. Committee members with concerns were instructed to send Sande Pence proposed language revisions and attend the next Regulations Workgroup meeting to discuss their concerns.

##### Tanks in Underground Areas

The Tanks in Underground Areas workgroup met last week. The group has focused on buried piping requirements and developed proposed language that will be suitable for inclusion in the California Code of Regulations, Title 24. Further details on the proposed regulations draft is not available because it is not yet ready for committee review. Statutory changes are needed in order to move

forward with this regulations package. Language has been proposed by Mike Vizzier on behalf of the CUPA Forum and has been submitted to legislation.

#### B. Recycled Underground Storage Tanks (USTs)-Farm Tanks

Denise Gibson provided feedback on the November 14, 2014, meeting between OSFM and the Farm Bureau. The Farm Bureau was able to voice their concerns in regards to Information Bulletin 14-005. OSFM has since held an internal meeting with their legal department to draft an addendum focusing on the recognition and selling of recycled USTs as aboveground storage tanks (ASTs). OSFM is working with the Farm Bureau to send out an “Ag Alert.” Committee members who were interested in being included in the notification were noted. Others who are interested in being included should send Denise Gibson an email.

#### C. APSA Violation Classification

Updates to the APSA violation classification/library in CERS is on hold. Currently, the APSA Violation Library is inconsistent with the federal SPCC rule in regards to the sequencing of violations. Several violations are repeated in the current library due to the categories and layout in CERS.

OSFM sent out a survey to all CUPAs to gain feedback on the Violation Library, gather CUPA inspection checklists, and find out if the US EPA checklist is being used. The survey was sent out at the beginning of January, and currently 24 CUPAs have replied. This project does not currently have a deadline due to CalEPA only accepting update proposals once a year.

#### D. APSA FAQ

Since the last committee meeting, feedback on the APSA FAQ was provided by a few members. Those comments have been incorporated into the FAQ. Major updates as a result of the feedback were the addition of a background and revision history to summarize the changes that have been made and rearranging questions for better organization and flow. The FAQ has been sent to OSFM’s legal department for review. Once reviewed, the draft FAQ will be posted to the OSFM website for comments. After the incorporation of comments and the FAQ is finalized, the FAQ will become a living document on the OSFM website, subject to change.

#### E. Tier II Qualified Facility SPCC Plan Template

Comments to the Tier II Qualified Facility SPCC Plan template have been received from US EPA, Region 9, and edits have been made according to those comments. Further suggestion was to send the template to Mark Howard at US EPA headquarters for feedback. An electronic copy has been sent to him and OSFM will further discuss it with him at the upcoming CUPA Conference.

## **VI. New Business**

### **A. Participation From Oil Changing Industry**

The APSA Advisory Committee is still looking for a representative from the oil changing industry interested in becoming a member and participating in this committee. The interested representative may contact the Committee Chair.

### **B. Proposed Changes to Statutory Language**

Sande Pence sent a rough draft of the proposed changes to the statutory language to the committee in November. She did not receive further comments. The CUPA Forum has submitted, to legislation, the proposed changes to statutory language. Members interested in commenting on the proposed statutory changes are advised to work with their representative parties.

## **VII. Open Forum and Public Comments**

The Committee Chair asked the members and guests to discuss additional items, issues or concerns, if they had any. No one had additional items to discuss.

## **VIII. Action Items**

1. Recycled USTs-Farm Tanks – Awaiting final review of the Addendum to Information Bulletin 14-005. The “Ag Alert” for this addendum will include committee members interested in being notified.
2. Violation Library and Classification for the APSA Program – On hold pending CUPA feedback.
3. APSA FAQ – Awaiting legal department review. Once comments are incorporated, the FAQ will be posted to the OSFM website for a final comment period.
4. Tier II Qualified Facility SPCC Plan Template – Received feedback from US EPA, Region 9. Forwarded to US EPA headquarters for further review.

## **IX. Schedule Next Meeting and Adjourn**

The next meeting will be scheduled for April. The Committee Chair will send out a “Doodle” poll to the members to find the best available date.

The meeting was adjourned by the Committee Chair at 11:15 a.m.