



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

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ATTACHMENT 9

Date: May 23, 2013

To: State Board of Fire Services

**From: Ben Ho, Division Chief
Fire Engineering/Arson Bomb**

Subject/Agenda Action Item:

Update regarding the implementation of Assembly Bill 1566 (Wieckowski) and the new Aboveground Petroleum Storage Tank Program. This is for information only and no action is required.

Recommended Actions: NA

Background Information:

On January 1, 2008, [Assembly Bill \(AB\) 1130 \(Laird\)](#) transferred the responsibility for the implementation, enforcement and administration of Aboveground Petroleum Storage Acts (APSA) to the Unified Program Agencies. On September 25, 2012, [AB 1566 \(Wieckowski\)](#) authorized CAL FIRE – Office of the State Fire Marshal the oversight responsibility of APSA effective January 1, 2013.

Analysis/Summary of Issue:

APSA authorizes the OSFM to regulate facilities with aggregate aboveground petroleum storage capacities of 1,320 gallons or more, which include aboveground storage containers or tanks with petroleum storage capacities of 55 gallons or greater. These facilities typically include large petroleum tank facilities, aboveground fuel tank stations and vehicle repair shops with aboveground petroleum storage tanks. The Act does not regulate non-petroleum products. Facilities with total petroleum storage quantities at or above 10,000 gallons are inspected at least once every three years by a Unified Program Agency and have reporting and fee requirements, while facilities with petroleum storage quantities equal to or greater than 1,320 gallons but less than 10,000 gallons have reporting and fee requirements only. All regulated facilities must meet the federal Spill Prevention Control and Countermeasure (SPCC) rule requirements. The new program will have two new environmental scientist positions. We anticipate the new positions will start July 1, 2103.

The APSA Advisory Committee has been established and the members have been appointed. The first meeting was held on April 9, 2013, at the Office of the State Fire Marshal (OSFM) headquarters in Sacramento.