

Background

On October 13, 2007, Assembly Bill (AB) 1130 was signed into law, changing the way aboveground petroleum storage tanks (AST) would be regulated in California.

Prior to passage of AB 1130, the AST Program was jointly administered by the *California State Water Resources Control Board* (SWRCB), the *Regional Water Quality Control Board* (RWQCB) and the Certified Unified Program Agencies (CUPA) with the CUPA's primarily responsible for enforcing SPCC Plan requirements.

Effective January 1, 2008, AB 1130 transferred the implementation, enforcement, and administration of the AST program solely to the CUPA.

County of Sacramento

Environmental Management Department

10590 Armstrong Avenue
Suite A • Mather, CA 95655

(916) 875-8550

www.emd.saccounty.net



SACRAMENTO
COUNTY

ENVIRONMENTAL MANAGEMENT DEPARTMENT

10590 Armstrong Avenue, Ste. A • Mather, CA 95655

IMPORTANT INFORMATION



Aboveground Petroleum Storage Act

The regulations regarding petroleum and petroleum oil products and waste storage have changed at the state and federal level.

This brochure is a brief overview of the changes that may affect your agricultural operations.



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APSA

Aboveground Petroleum Storage Act

What kind of facilities are subject to this law?

All facilities including farms, nurseries, logging and construction sites that have aboveground storage tank(s) with an aggregate storage capacity of $\geq 1,320$ gallons of petroleum.

What is an Above Ground Storage Tank (AST)?

"...a tank that has the capacity to store 55 gallons or more of petroleum and that is substantially or totally above the surface of the ground."
(HSC 25270.2 (a))

What is petroleum?

Petroleum means crude oil and any fraction which is liquid at 60°F temperature at normal atmospheric pressure. Examples include:

- » Crude oil
- » Mineral oil
- » Diesel
- » Lubrication oils
- » Biodiesel *
- » Sludge
- » Oil refuse
- » Gasoline
- » Heating oil
- » Used oil

* does not include 100% Biodiesel

WHAT DOES THIS MEAN TO YOU?

If you are farm, nursery, logging or construction site and meet the storage capacity threshold, you must take the following 6 actions:

1. Submit a Tank Facility Statement by January 1st each year.
 - $\geq 100,001$ and ≤ 1 Million gallons – \$679.00
 - > 1 Million and ≤ 10 Million gallons – \$1,184.00
 - > 10 Million gallons – \$1,341.00
2. Conduct daily visual inspections of your ASTs to ensure compliance with Title 40 Code of Federal Regulations, Section 112.
3. Immediately notify the California Emergency Management Agency and the Sacramento County EMD upon discovery of a spill or a release of 42 gallons or more of petroleum.
4. Allow the Sacramento County EMD to conduct triennial inspections.
5. Submit an annual fee to Sacramento County EMD beginning January 2010.

(gallonage indicated below are aggregate amounts)

 - $\geq 1,320$ and $\leq 10,000$ gallons – \$73.00
 - $\geq 10,001$ and $\leq 100,000$ gallons – \$575.00
6. In addition to the previous 5 actions, you must also complete a Spill Prevention Control and Countermeasure (SPCC) Plan*, if you have the following:
 - ✪ Any single petroleum AST $\geq 20,000$ gallons, and
 - ✪ an aggregate total of all petroleum ASTs $< 100,000$ Gallons

* What about the Federal disclaimer?

Please note that while farms, nurseries, logging and construction sites are conditionally exempt from the requirement to prepare an SPCC Plan under APSA, these facilities are not exempt under Federal SPCC requirements enforced by the Federal EPA.

What is a SPCC Plan?

A written document that describes procedures, methods, and equipment in place at the tank facility to prevent discharges of petroleum from reaching navigable waters.



SPCC Plan Requirements

- ✪ SPCC plan must fulfill all applicable requirements of 40CFR112.
- ✪ Maintain a copy of the SPCC plan onsite.
- ✪ Implement procedures outlined in the SPCC plan.
- ✪ Review and update the SPCC plan every 5 years.

Compliance Dates for SPCC Plan

Facilities Starting Operation	Must
On or before 8/16/2002	Maintain existing plan, amend & implement the plan by 11/10/2011.
After 8/16/2002 - 11/10/2011	Prepare & implement a plan by 11/10/2011.
After 11/10/2011	Prepare & implement plan before beginning operations.