

The History of the Anaheim CUPA

In 1993, Senate Bill 1082 created the Unified Program, which consolidated hazardous materials and hazardous waste programs under one agency known as a Certified Unified Program Agency or CUPA.

The six programs, or program elements, consolidated under the Unified Program at that time were:

- **Hazardous Waste Generator (HW)**
- **Onsite Hazardous Waste Treatment Programs (TP)**
- **Hazardous Materials Release Response Plans and Inventory Program (HMBP)** (aka: Hazardous Materials Business Plan, Hazardous Materials Disclosure, Handler or "Community-Right-To-Know")
- **California Accidental Release Prevention Program (Cal ARP)**
- **Underground Storage Tank Program (UST)**
- Uniform Fire Code Plans and Inventory Requirements

On July 1, 2001, the City of Anaheim was designated by the State of California as a CUPA and the Anaheim Fire Department's Hazardous Materials Section (HMS) became the administrator of the CUPA programs for Anaheim businesses.

On October 13, 2007, Assembly Bill 1130 transferred the responsibility for the implementation, enforcement and administration of the Aboveground Petroleum Storage Act (APSA) from the Regional Water Quality Control Boards to the CUPAs. This added the Aboveground Storage Tanks (AST) program to the list of consolidated Unified Programs.

Under the Unified Program, application and required submission of forms are standardized, inspections are combined where possible, annual fees for each program element are merged into a single fee system and enforcement procedures are more consistent. The goal of the Unified Program is to create a more cohesive, effective and efficient program.

General Information about the Anaheim CUPA

Assisting businesses achieve and maintain compliance with program requirements is the Anaheim CUPA's primary mission.

The HMS provides the following services to businesses:

- Education and assistance
- Consolidated permits and invoices
- Inspection and compliance verification
- Collection of the State annual surcharge(s)

Inspections are conducted on a routine basis and a written inspection report is issued to the business. Inspections focus on:

- ✓ Observation of the entire facility, including inside and outside of buildings, equipment, storage and work areas, etc.
- ✓ Verification of current information on the Business Owner/Operator Identification form.
- ✓ Observation of hazardous materials and waste storage, handling, labeling and waste disposal procedures.
- ✓ Review of spill control procedures and spill reporting.
- ✓ Review and evaluation of discloseable quantities of hazardous materials that are stored or handled on site.
- ✓ Review of the Emergency/Contingency Plan.
- ✓ Review of underground storage tank documentation and verification of operability of leak detection equipment.
- ✓ Qualification of petroleum storage for the aboveground storage tank program.
- ✓ Verification of proper handling and disposal of universal and electric waste.

Business Advisory Group

A Business Advisory Group provides for business participation in the administration and implementation of the CUPA. Quarterly meetings are held at the Anaheim Fire Department's administrative offices and are open to the public. Anyone interested in joining this committee should contact the chairperson at (714) 765-4055. Membership is limited to 12 individuals serving a minimum two-year term.

City of Anaheim CUPA Information

For more information on the Anaheim CUPA or to obtain forms and guidelines, visit the Anaheim Fire Department Hazardous Materials Section's website at

www.anaheim.net/hms

Need help? Attend one of our Business Assistance Workshops held on the first Wednesday of every month from 1:00 p.m. to 7:00 p.m. at the Anaheim Fire Department administrative offices at 201 S. Anaheim Boulevard, Third Floor. No appointment is necessary and the workshop is free!

Other general information can be found at the following

CUPA-related links:

www.calcupa.net

www.calepa.ca.gov/CUPA

www.dtsc.ca.gov

www.oes.ca.gov

www.swrcb.ca.gov



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What is a Certified Unified Program Agency (CUPA)

- *Informs first responders of hazardous materials and provides other vital response information at a particular site
- *Provides the public access to what hazardous materials are handled in their communities (Emergency Planning and Community Right to Know Act)
- *Ensures that hazardous waste is properly managed
- *Ensures the health and safety of the people of Anaheim
- *Protects the environment

CUPA Consolidated Permit Process

A CUPA Consolidated Permit can only be issued when all three of the following conditions have been met:

- A completed permit application is on file
- Fees have been paid in full
- No outstanding violations exist

A Notice to File an Application for a CUPA Permit is mailed to Environmental Contacts on May 1 of every year and is to be completed and returned no later than May 31. Applications received after the due date are subject to a late filing fee.

Businesses that do not receive a permit application and/or need an additional copy, must contact the HMS at (714) 765-4040.

Businesses that need to update or change information on file with the CUPA must obtain forms at www.anaheim.net/hms. If the business does not have access to the internet, contact the HMS at (714) 765-4040.

CUPA Annual Fees

The Anaheim Fire Department's HMS is a fully fee offset program. The section does not receive any money from the City's General Fund and only uses fees that are collected from businesses to operate.

Annual fees are assessed at the beginning of the fiscal year on July 1; however, additional invoices are sent throughout the year when changes are reported or observed during an inspection. Examples of additional fees that may be billed following an inspection include:

- Fees for inclusion in a new program that was not included on the annual invoice
- Fees for additional chemicals being reported
- Fees for changes in a hazardous waste tier
- UST Change of Ownership fees
- Re-inspection fees

CUPA Surcharges

The law requires the CUPA to invoice and collect the annual surcharge(s) for all businesses qualifying for CUPA program elements. The amount of the surcharge(s) is determined by the Secretary of the California Environmental Protection Agency (Cal/EPA).

All surcharges collected by the City of Anaheim CUPA are paid directly to the State of California and are used to fund the costs of all state agencies responsible for oversight of the Unified Program.

CUPA Evaluations

Several state agencies are responsible for setting the standards of the program elements in the Unified Program while the local CUPAs implement the standards.

The Secretary of Cal/EPA periodically reviews the ability and effectiveness of each CUPA in carrying out the requirements of the Unified Program. During the evaluation, if a CUPA is not achieving success meeting the requirements, the state offers guidance and assistance for improvement.

Every year the City of Anaheim CUPA submits specific reports to Cal/EPA to report on fee collection and inspection and enforcement activities. Every three years, the City of Anaheim CUPA is evaluated by a team of staff from each state agency with Unified Program responsibilities:

- Cal/EPA
- California Emergency Management Agency (Cal/EMA)
- Office of the State Fire Marshal (OSFM)
- Department of Toxic Substances Control (DTSC)
- State Water Resources Control Board (SWRCB)

The results of CUPA evaluations can be viewed on the Cal/EPA website at www.calepa.ca.gov/CUPA.

Unified Program Elements

Aboveground Storage Petroleum Tanks (AST)

- Stored in 55 gallon (or greater) containers or in tanks
- Qualified for program with a total quantity of 1,320 gallons
- Requires a Spill Prevention Control and Countermeasure Plan be developed

California Accidental Release Prevention (CalARP)

- Sites with highly toxic and flammable chemicals
- Quantity thresholds specified
- Requires a Risk Management Plan be developed

Hazardous Materials Business Plan (HMBP)

- Hazardous materials stored/handled in quantities of 55 gallons, 500 pounds or 200 cubic feet
- Inventory must be updated annually
- Consolidated Contingency/Emergency Plan must be updated every three years
- For use by emergency responders

Hazardous Waste Generator (HW)

- For any amount of waste produced at a facility
- Hazardous waste can be liquid, solid, contained gases or sludges, by-products of manufacturing processes or simply discarded commercial products like cleaning fluids or pesticides
- Generators must obtain an EPA identification number from DTSC
- Program has specific accumulation, labeling, storage and disposal requirements

Tiered Permitting – On-Site Treatment (TP)

- For hazardous waste generated at the same facility
- Renders the waste less hazardous or non-hazardous
- Unit type determined by DTSC flow chart

Underground Storage Tank (UST)

- Tanks must have leak prevention and detection measures
- Sites must have financial responsibility in the event of an unauthorized leak
- Construction elements must meet current Fire Code requirements

Annual Fee Schedule

<u>Aboveground Storage Petroleum Tanks</u>	AST Annual Fees will not be assessed until grant funds are exhausted
<u>California Accidental Release Prevention Program</u>	CalARP Annual Fees are: \$510 for six hours
<u>Hazardous Materials Business Plan</u>	HM Annual Fees are: <ul style="list-style-type: none"> • \$232 for 1-2 hazardous substances • \$62 per chemical for each additional substance • A maximum of \$1,348 is charged for 20 or more substances
<u>Hazardous Waste Generator</u>	HW Annual Fees are: <ul style="list-style-type: none"> • \$170 for Special Generators • \$329 for 0–10 employees • \$419 for 11–25 employees • \$606 for 26–50 employees • \$787 for 51–100 employees • \$1,190 for 101–250 employees • \$1,530 for 251–500 employees • \$2,011 for 500+ employees
<u>Tiered Permitting – On-Site Treatment</u>	TP Annual Fees are: <ul style="list-style-type: none"> • \$1,122 per facility with PBR units (Permit-by-Rule) • \$719 per facility with CA units (Conditionally Authorized) • \$170 per facility with CE units (Conditionally Exempt)
<u>Underground Storage Tank</u>	UST Annual Permits are: \$333 per tank
<u>State of California Surcharges</u>	<ul style="list-style-type: none"> • \$24 per facility for CUPA Oversight • \$25 per facility for technology advancement (eReporting) • \$15 per tank for USTs • \$270 per facility for CalARP