

COUNTY OF SACRAMENTO
Environmental Management
Department (EMD)

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EMD is the Certified Unified Program Agency (CUPA) for all of Sacramento County including its incorporated cities. The Sacramento County CUPA Program is administered by the EMD Environmental Compliance Division.

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ENVIRONMENTAL MANAGEMENT DEPARTMENT

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**COMPLIANCE
ASSISTANCE
BULLETIN**

September 2014



**UPDATE FOR FACILITIES
INSPECTED BY AG COMM
ON BEHALF OF EMD**



**ENVIRONMENTAL MANAGEMENT
DEPARTMENT (EMD)**
916-875-8550 • emd.saccounty.net

2014/2015 DISCOUNTS AND CREDITS

ABOVEGROUND PETROLEUM STORAGE AT FARMS

AG COMM CREDIT

- All facilities that receive CUPA inspections from the Sacramento County Agricultural Commissioner's Office (Ag Comm), not directly from EMD, will see a "Ag Comm Credit" on their annual billing.
- Routine inspections of Reclamation Districts (with <10,000 gallons petroleum storage capacity) are now conducted by Ag Comm on behalf of EMD. Reclamation Districts will receive the same "Ag Comm Credit" on their annual billing.

FARM CONTINGENCY CREDIT

Farms only will receive a one-time facility contingency credit on their annual billing. A contingency amount was included in EMD's 2014/2015 budget that is now being returned to facilities as a credit, and will not be in subsequent budgets.



The Water Resources Reform and Development Act of 2014 (H.R. 3080), signed into federal law on June 10, 2014, included a provision that raises the federal Spill Prevention, Control, and Countermeasure (SPCC) Plan threshold for farms from a capacity of 1,320 gallons to a capacity of 6,000 gallons (or 2,500 gallons if the facilities with a reportable oil discharge history), and 1,000 gallons is the smallest container/tank that "counts" toward the threshold capacity. More information should be available on the U.S. Environmental Protection Agency website soon.

As a result, EMD as the CUPA is not requiring secondary containment for farm facilities with:

- 1) Less than 6,000 gallons capacity or**
- 2) Less than 2,500 gallons capacity for facilities with a reportable oil discharge history.**

To be exempt from having a SPCC Plan for the purposes of the California Aboveground Petroleum Storage Act (APSA), farm facilities meeting criteria 1 or 2 above must continue to:

- Conduct daily inspections,
- Obtain annual permits, and
- Undergo inspections from Sacramento County Agricultural Commissioner's Office and/or EMD (as applicable)

NOTE: The increased threshold amounts do not apply to Reclamation Districts (SPCC Plan and secondary containment is required if $\geq 1,320$ gallons capacity) because Reclamation Districts do not meet the definition of farm.

SUBJECT TO CHANGE

The 6,000 gallon threshold amount is subject to change – U.S. EPA will study the 6,000 gallon farm threshold to see if it is the appropriate level and, based on the study, under H.R. 3080 U.S. EPA can lower the 6,000 gallons down to any amount but not less than 2,500 gallons.

SECONDARY CONTAINMENT

When a farm must have an SPCC Plan for the purposes of U.S. EPA ($\geq 6,000$ gallons petroleum storage capacity or $\geq 2,500$ gallons for facilities with reportable discharge history), either double-walled tanks are required or secondary containment is required to be installed for each tank or group of tanks where the secondary containment will, at a minimum, contain the entire contents of the largest tank protected by the secondary containment plus precipitation. Secondary containment that meets the requirements of an SPCC Plan for the purposes of U.S. EPA also meets the requirement for secondary containment for the purposes of the Sacramento County CUPA under APSA.

What does U.S. EPA consider a reportable oil discharge history?

"Reportable oil discharge history," in general, means within three years prior to the SPCC Plan certification date, or since becoming subject to the SPCC rule if in operation for less than three years, the facility has had:

- A single discharge of oil exceeding 1,000 gallons, or
- Two discharges of oil each exceeding 42 gallons within any 12-month period.

Facilities with a reportable oil discharge history must also have its SPCC Plan certified by a registered professional engineer (PE).