

## California Accidental Release Prevention (CalARP) Checklist Summary of Violations – Program Level 1 Facilities

***This is an inspection element checklist of common types of violations of Federal, State, or local laws and regulations. For specific details about your inspection, refer to your Official Inspection Report.***

CCR – California Code of Regulation / SCC – Sacramento County Code

HSC = California Health and Safety Code / CFR = Code of Federal Regulations

VIOLATION NUMBER	AUTHORITY	DESCRIPTION
<b>General</b>		
<b>Permit</b>		
5015	SCC 6.96.030	Has an active permit for CalARP covered process(es).
<b>General Applicability</b>		
5010001	19 CCR 2 5050.4(a)(1)	Failure to comply with the provisions of 19 CCR 2 pursuant to the time frames identified in Section 5070.1(b) if a stationary source has a process with more than a threshold quantity of a regulated substance as listed in Tables 1 or 2 of Section 5130.6.
5010002	19 CCR 2 5050.4(a)(2)	Failure to comply with the appropriate provisions of 19 CCR 2 prior to the date in which a regulated substance is first present in a process above the listed threshold quantity, as listed in Table 3 of Section 5130.6.
5010003	19 CCR 2 5050.4(a)(3)	Failure to comply with the provisions of 19 CCR 2 pursuant to the time frames identified in Section 5070.1(b) if a stationary source has a process with more than a threshold quantity of a regulated substance as listed in Tables 1 or 2 and Table 3 of Section 5130.6.
5010264	HSC 6.95 25534(b)(2)(A)(iii)	Failure to comply with all applicable requirements of Health and Safety Code Chapter 6.95, Article 2 and Chapter 2 (commencing with Section 5050.1) of Division 5 of Title 19 of the California Code of Regulations within 12 months of the UPA revoking a stationary source exemption pursuant to Health and Safety Code Chapter 6.95, Article 2, section 25534(b)(2)(A)(iii).
<b>Coordination</b>		
5010004	19 CCR 2 5050.5(a)	Failure of the owner or operator of a stationary source to closely coordinate with the UPA to implement the requirements of 19 CCR 2 and to determine the appropriate level of documentation required for a Risk Management Plan to comply with Sections 5070.3 through 5070.10.
5010006	19 CCR 2 5050.5(d)(3)	Failure to ensure that response actions have been coordinated with local emergency planning and response agencies.
<b>Risk Management Plan (RMP) Components and Submission</b>		
<b>RMP Submission</b>		
5010005	19 CCR 2 5050.5(b)(1), 5050.5(d), 5070.1(a)	Failure to submit an RMP which includes all requirements described in Sections 5070.3 through 5070.5 and 5070.9 through 5070.10.
5010018	19 CCR 2 5070.1(d); HSC 6.95 25536(b)	Failure of an existing, new or modified stationary source with one or more covered processes to submit an RMP to the UPA before the date on which the regulated substance is first present in a process above the listed threshold quantity.
5010016	19 CCR 2 5070.1(b)(1), 5070.1(b)(2)	Failure to submit the RMP information required by the USEPA to the USEPA per the schedule below: 1. Three years after the date on which a regulated substance is first listed under Section 68.130, Part 68, Title 40 of CFR; or 2. The date on which a regulated substance is first present in a process, above the threshold quantity, as listed on Section 5130.6 Table 1 or 2.

5010017	19 CCR 2 5070.1(c)	Failure to submit a copy of the USEPA required RMP information according to the time frame set forth in 5070.1(b) to the UPA.
5010020	19 CCR 2 5070.1(h)	Failure to exclude classified information from the Risk Management Plan.
<b>RMP Certification</b>		
5010021	19 CCR 2 5070.2(a)	Failure to ensure that the Risk Management Plan is certified complete by a qualified person and the stationary source owner or operator.
5010023	19 CCR 2 5070.10(a)	Failure to submit in the Risk Management Plan the certification statement provided in Section 5050.5(d)(4).
<b>RMP Updates</b>		
5010025	19 CCR 2 5070.11(a)	<p>Failure to revise, update, and submit the Risk Management Plan to the United States Environmental Protection Agency and the UPA as follows:</p> <ol style="list-style-type: none"> <li>1. At least once every five years from the date of its initial submission or most recent update required by section 5070.11(a)(2) through (7);</li> <li>2. No later than three years after a newly regulated substance is first listed by the United States Environmental Protection Agency;</li> <li>3. No later than the date on which a new regulated substance is first present in an already covered process above a threshold quantity;</li> <li>4. No later than the date on which a regulated substance is first present above a threshold quantity in a new process;</li> <li>5. Within six months of a change that requires a revised process hazard analysis or hazard review;</li> <li>6. Within six months of a change that requires a revised offsite consequence analysis as provided in section 5080.7;</li> <li>7. Within six months of a change that alters the program level that applied to any covered process.</li> </ol>
5010026	19 CCR 2 5070.11(b)	<p>Failure to revise, update, and submit the Risk Management Plan to the UPA as follows:</p> <ol style="list-style-type: none"> <li>1. At least once every five years from the date of its initial submission or most recent update required by section 5070.11(b)(2) through (7);</li> <li>2. No later than three years after a newly regulated substance is first listed by the California Office of Emergency Services.</li> <li>3. No later than the date on which a new regulated substance is first present in an already covered process above a threshold quantity;</li> <li>4. No later than the date on which a regulated substance is first present above a threshold quantity in a new process;</li> <li>5. Within six months of a change that requires a revised process hazard analysis or hazard Review.</li> <li>6. Within six months of a change that requires a revised offsite consequence analysis as provided in section 5080.7;</li> <li>7. Within six months of a change that alters the program level that applied to any covered process.</li> </ol>
5010027	19 CCR 2 5070.11(c)	Failure to submit a de-registration to the United States Environmental Protection Agency and the UPA within six months indicating that the stationary source is no longer covered.
5010028	19 CCR 2 5070.11(d)	Failure to submit a de-registration to the UPA within six months indicating that the stationary source is no longer covered.
5010029	19 CCR 2 5070.11(f)	Failure to contact the UPA within 30 days of a change of owner or operator to update the registration information.
<b>RMP Corrections</b>		
5010030	19 CCR 2 5070.12(a)	Failure to correct and submit the data required in the Risk Management Plan under sections 5070.5, 5070.6(j), and 5070.7(l), for any accidental release meeting the five year accident history reporting criteria of Section 5080.9, with respect to that accident within six months of the release or by the time the Risk Management Plan is updated under Section 5070.11, whichever is earlier.
5010031	19 CCR 2 5070.12(b)	Failure to correct and submit the emergency contact information in the Risk Management Plan required under Section 5060.1(d)(6) within one month of any change.
<b>Covered Process Modification</b>		
5010032	19 CCR 2 5070.13(a)(1)	Failure to notify the UPA in writing of the intent to modify the stationary source at least five calendar days before implementing any modifications or no later than 48 hours following the modification if prenotification is not reasonable.

5010033	19 CCR 2 5070.13(a)(2)	Failure to establish procedures to manage the proposed modification, which shall be substantially similar to the procedures specified in Sections 5100.6 and 5100.7 and notify the UPA that the procedures have been established.
5010262	19 CCR 2 5070.13(b)	Failure to revise the appropriate documents as required pursuant to section 5070.13(a), expeditiously, but not later than 60 days from the date of the stationary source modification.
<b>Certificate of Occupancy</b>		
5010034	19 CCR 2 5070.14	Failure of a new or modified stationary source to comply with Section 65850.2(b) of the Government Code prior to the issuance of a certificate of occupancy.
<b>RMP Review</b>		
5010022	19 CCR 2 5070.2(b)(1)	Failure to correct deficiencies within 60 calendar days from receipt of the notification of Risk Management Plan deficiencies.
<b>Registration</b>		
5010008	19 CCR 2 5050.5(b)(2)	Failure to include a registration in the Risk Management Plan that reflects all covered processes.
5010012	19 CCR 2 5060.1(a)	Failure to complete the registration information required in 5060.1(d) and submit it with the Risk Management Plan to the United States Environmental Protection Agency, with a copy provided to the UPA.
5010013	19 CCR 2 5060.1(b)	Failure to complete the registration information required in section 5060.1(d) and submit it with the Risk Management Plan to the UPA.
5010014	19 CCR 2 5060.1(c)	Failure to submit a registration to the UPA prior to submittal of the Risk Management Plan upon request.
5010015	19 CCR 2 5060.1(d)	Failure to include the data required in 5060.1(d)(1) through (d)(20) in the registration.
<b>Hazard Assessment</b>		
<b>General Applicability</b>		
5010035	19 CCR 2 5080.1	Failure to prepare a worst-case release scenario analysis as provided in Section 5080.3.
5010036	19 CCR 2 5080.1	Failure to complete the five-year accident history as provided in Section 5080.9.
<b>Other Requirements</b>		
<b>Recordkeeping</b>		
5010119	19 CCR 2 5140.1	Failure to maintain records supporting the implementation of 19 CCR 2 for five years unless otherwise provided in Article 6.
5010120	19 CCR 2 5160.1(a)	Failure to closely coordinate with the UPA to ensure that appropriate technical standards are applied to the implementation of 19 CCR 2.
5010121	19 CCR 2 5160.1(b)	Failure to request assistance from the UPA when necessary to address compliance with 19 CCR 2 or safety issues regarding unfamiliar processes.
<b>General</b>		
5030005	HSC 6.95 25531.2(b)	Failure to: <ul style="list-style-type: none"> <li>1. Identify hazards that may result from releases using appropriate hazard assessment techniques.</li> <li>2. Design and maintain a safe facility taking those steps as are necessary to prevent releases.</li> <li>3. Minimize the consequences of accidental releases that do occur.</li> </ul>
5010	19 CCR 2 Multiple	CalARP Program - Administration/Documentation - General
5015	County Code Multiple	CalARP Program - Administration/Documentation - General Local Ordinance
5020	19 CCR 2 Multiple	CalARP Program - Training - General
5025	County Code Multiple	CalARP Program - Training - General Local Ordinance
5030	19 CCR 2 Multiple	CalARP Program - Operations/Maintenance - General

5035	County Code Multiple	CalARP Program - Operations/Maintenance - General Local Ordinance
5040	19 CCR 2 Multiple	CalARP Program - Release/Leaks/Spills - General
5045	County Code Multiple	CalARP Program - Release/Leaks/Spills - General Local Ordinance
5050	19 CCR 2 Multiple	CalARP Program - Abandonment/Illegal Disposal/Unauthorized Treatment - General
5055	County Code Multiple	CalARP Program - Abandonment/Illegal Disposal/Unauthorized Treatment - General Local Ordinance

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## RETURN TO COMPLIANCE STATEMENT

This Return To Compliance Statement must be returned to EMD within 19 days of your facility's inspection for Priority Corrective Action violations and within 35 days for all other violations (unless otherwise noted on the Official Inspection Report). Also include copies of any proof of compliance documents (e.g. photos, copies of manifests/disposal records or receipts, or other original paperwork).

### Compliance Certification

1. I certify that the violations noted on the Official Inspection Report (and accompanying inspection checklists) have been corrected in the manner indicated below.
2. I have personally examined any attached documentation submitted as proof of compliance and I believe the information to be true, accurate and complete.
3. I am aware that there are significant penalties for submitting false information and/or for non-compliance with violations noted.
4. I declare under penalty of perjury that the foregoing certification is true and correct.

Executed at: \_\_\_\_\_, California Date: \_\_\_\_\_

Facility Name: \_\_\_\_\_ Facility ID# (FA): \_\_\_\_\_

Signature: \_\_\_\_\_ Printed Name: \_\_\_\_\_

Position/Title: \_\_\_\_\_

### SUMMARY OF VIOLATION COMPLIANCE ACTION

Violation Number	Check Type of Evidence Submitted			Violation Number	Check Type of Evidence Submitted			Violation Number	Check Type of Evidence Submitted		
	Photo	Paperwork	Statement		Photo	Paperwork	Statement		Photo	Paperwork	Statement
5015	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5010027	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5010036	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5010001	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5010028	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5010119	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5010002	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5010029	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5010120	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5010003	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5010030	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5010121	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5010264	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5010031	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5030005	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5010004	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5010032	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5010	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5010006	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5010033	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5015	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5010005	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5010262	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5020	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5010018	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5010034	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5025	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5010016	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5010022	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5030	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5010017	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5010008	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5035	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5010020	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5010012	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5040	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5010021	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5010013	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5045	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5010023	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5010014	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5050	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5010025	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5010015	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5055	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5010026	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5010035	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**CORRECTIVE ACTION STATEMENT:**