

California Accidental Release Prevention (CalARP) Checklist Summary of Violations – Program Level 3 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
General		
Permit		
5015	SCC 6.96.030	Has an active permit for CalARP covered process(es).
General Applicability		
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.
5010263	HSC 6.95 25534(b)(1)(B)	Failure to comply with all of the requirements applicable to Program 3 within 12 months of being notified by the UPA of a reclassification of a covered process from Program 2 to Program 3.
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).
Coordination		
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.
Management System		
5010009	19 CCR 2 5050.6(a)	Failure to develop a management system to oversee the implementation of the risk management program elements.
5010010	19 CCR 2 5050.6(b)	Failure to assign a qualified person or position who has the overall responsibility for the development, implementation, and integration of the risk management program elements.
5010011	19 CCR 2 5050.6(c)	Failure to document the following when responsibility for implementing individual requirements of 19 CCR 2 is assigned to persons other than the person identified in 19 CCR section 5050.6(b): 1. Names or positions. 2. Lines of authority defined through an organization chart or similar document.
Risk Management Plan (RMP) Components and Submission		
RMP Submission		
5010007	19 CCR 2 5050.5(b)(1), 5070.1(a)	Failure to submit an RMP which includes all requirements described in Sections 5070.3 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.
RMP Certification		
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.
5010024	19 CCR 2 5070.10(b)	Failure to submit in the Risk Management Plan a single certification that, to the best of the signer's knowledge, information, and belief formed after reasonable inquiry, the information submitted is true, accurate, and complete.
RMP Updates		
5010025	19 CCR 2 5070.11(a)	Failure to revise, update, and submit the Risk Management Plan to the United States Environmental Protection Agency and the UPA as follows: 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); 2. No later than three years after a newly regulated substance is first listed by the United States Environmental Protection Agency; 3. No later than the date on which a new regulated substance is first present in an already covered process above a threshold quantity; 4. No later than the date on which a regulated substance is first present above a threshold quantity in a new process; 5. Within six months of a change that requires a revised process hazard analysis or hazard review; 6. Within six months of a change that requires a revised offsite consequence analysis as provided in section 5080.7; 7. Within six months of a change that alters the program level that applied to any covered process.
5010026	19 CCR 2 5070.11(b)	Failure to revise, update, and submit the Risk Management Plan to the UPA as follows: 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); 2. No later than three years after a newly regulated substance is first listed by the California Office of Emergency Services. 3. No later than the date on which a new regulated substance is first present in an already covered process above a threshold quantity; 4. No later than the date on which a regulated substance is first present above a threshold quantity in a new process; 5. Within six months of a change that requires a revised process hazard analysis or hazard Review. 6. Within six months of a change that requires a revised offsite consequence analysis as provided in section 5080.7; 7. Within six months of a change that alters the program level that applied to any covered process.
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.
RMP Corrections		
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 5070.1(d)(6) within one month of any change.

Covered Process Modification		
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.
Certificate of Occupancy		
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.
RMP Review		
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.
Registration		
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.
Hazard Assessment		
General Applicability		
5010037	19 CCR 2 5080.1	Failure to comply with any of the following: 1. Offsite Consequence Analysis Parameters. (19 CCR 2 5080.2) 2. Worst-Case Release Scenario Analysis. (19 CCR 2 5080.3) 3. Alternative Release Scenario Analysis. (19 CCR 2 5080.4) 4. Defining Offsite Impacts to the Population. (19 CCR 2 5080.5) 5. Defining Offsite Impacts to the Environment. (19 CCR 2 5080.6) 6. Offsite Consequence Analysis Review and Update. (19 CCR 2 5080.7) 7. Offsite Consequence Analysis Documentation. (19 CCR 2 5080.8) 8. Five-year Accident History. (19 CCR 2 5080.9)
Other Requirements		
Recordkeeping		
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.

Emergency Response Program**Emergency Response Applicability**

5010115	19 CCR 2 5120.1(b)	<p>Failure of owner or operator of a stationary source whose employees will not respond to accidental releases of regulated substances to meet the following:</p> <ol style="list-style-type: none"> 1. For stationary sources with any regulated toxic substances held in a process above the threshold quantity, the stationary source is included in the community emergency response plan developed under Section 11003 of Title 42 of the United States Code (USC), is included in the city or county Hazardous Materials Area plans, and/or is included in the business plan program, pursuant to Section 25507 of the Health & Safety Code. The owner or operator must document that response actions have been coordinated with the local fire department and hazardous materials response agencies; 2. For stationary sources with only regulated flammable substances held in a process above the threshold quantity, the owner or operator must document that response actions have been coordinated with the local fire department and hazardous materials response agencies; and, 3. Appropriate mechanisms and written procedures are in place to notify emergency responders when there is a need for a response.
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Emergency Response - Responding

5010116	19 CCR 2 5120.2(a)	<p>Failure to develop, implement, and maintain at the stationary source an emergency response program that includes the following elements:</p> <ol style="list-style-type: none"> 1. Procedures for informing and interfacing with the public and local emergency response agencies about accidental releases, emergency planning, and emergency response. 2. Documentation of proper first-aid and emergency medical treatment necessary to treat accidental human exposures. 3. Procedures and measures for emergency response after an accidental release of a regulated substance. 4. Procedures for the use of emergency response equipment and for its inspection, testing, and maintenance are developed by the stationary source. 5. Training for all employees in relevant procedures and relevant aspects of the Incident Command System. 6. Procedures to review and update the emergency response plan to reflect changes at the stationary source are developed and employees are informed of these changes.
5010117	19 CCR 2 5120.2(c)	<p>Failure to coordinate the emergency response plan with the community emergency response plan developed under Section 11003 of Title 42 of the United States Code.</p>
5010118	19 CCR 2 5120.2(c)	<p>Failure to promptly provide to the local emergency planning committee or emergency response officials information necessary for developing and implementing the community emergency response plan upon request.</p>

Program 3 Prevention Program**Process Safety Information (PSI)**

5010064	19 CCR 2 5100.1(a), (b)	<p>Failure to compile and maintain up-to-date written process safety information pertaining to the hazards of the regulated substances in the process that includes the following:</p> <ol style="list-style-type: none"> 1. Toxicity information; 2. Permissible exposure limits; 3. Physical data; 4. Reactivity data and chemical compatibility data during handling, use, and application at the stationary source; 5. Corrosivity data; 6. Thermal and chemical stability data; 7. Hazardous effects of inadvertent mixing of different materials that could foreseeable occur.
5010065	19 CCR 2 5100.1(a), (c)	<p>Failure to compile written process safety information concerning the technology of the process that includes the following:</p> <ol style="list-style-type: none"> 1. A block flow diagram or simplified process flow diagram; 2. Process chemistry; 3. Maximum intended inventory; 4. Safe upper and lower limits for such items as temperatures, pressures, flows or compositions; 5. An evaluation of the consequences of deviations.
5010066	19 CCR 2 5100.1(a), (d)(1)	<p>Failure to compile written process safety information pertaining to the equipment in the process that includes the following:</p> <ol style="list-style-type: none"> 1. Materials of construction; 2. Piping and instrument diagrams (P&IDs); 3. Electrical classification; 4. Relief system design and design basis; 5. Ventilation system design; 6. Design codes and standards employed; 7. Material and energy balances for processes built after June 21, 1999; 8. Safety systems (e.g., interlocks, detection, or suppression systems).

5010067	19 CCR 2 5100.1(d)(2)	Failure to document that equipment complies with recognized and generally accepted good engineering practices.
5010068	19 CCR 2 5100.1(d)(3)	For existing equipment designed and constructed in accordance with codes, standards, or practices that are no longer in general use, the owner or operator has determined and documented that the equipment is designed, maintained, inspected, tested, and operating in a safe manner.
Process Hazard Analysis (PHA)		
5010069	19 CCR 2 5100.2(a)	Failure to conduct an initial Process Hazard Analysis on the covered processes no later than the date of submittal of the RMP.
5010070	19 CCR 2 5100.2(a)	Failure to perform a Process Hazard Analysis that is appropriate to the complexity of the process and identifies, evaluates, and controls the hazards involved in the process.
5010072	19 CCR 2 5100.2(b)	Failure to work closely with the UPA in deciding which Process Hazard Analysis methodology is best suited to determine the hazards of the process being analyzed.
5010073	19 CCR 2 5100.2(b)	Failure to use one or more of the following methodologies that are appropriate to determine and evaluate the hazards of the process being analyzed: 1. What-If; 2. Checklist; 3. What-If/Checklist; 4. Hazard and Operability Study (HAZOP); 5. Failure Mode and Effects Analysis (FMEA); 6. Fault Tree Analysis; or, 7. An appropriate equivalent methodology.
5010074	19 CCR 2 5100.2(c)	Failure to address the following in the Process Hazard Analysis: 1. The hazards of the process; 2. The identification of any previous incident which had a likely potential for catastrophic consequences; 3. Engineering and administrative controls applicable to the hazards and their interrelationships such as appropriate application of detection methodologies to provide early warning of releases. (Acceptable detection methods might include process monitoring and control instrumentation with alarms, and detection hardware such as hydrocarbon sensors.); 4. Consequences of failure of engineering and administrative controls; 5. Stationary source siting; 6. Human factors; 7. A qualitative evaluation of a range of the possible safety and health effects of failure of controls; and, 8. External events, including seismic events.
5010075	19 CCR 2 5100.2(d)	Failure to perform the Process Hazard Analysis by a team with expertise in engineering and process operations, including at least one employee who has experience and knowledge specific to the process being evaluated, and one member who is knowledgeable in the specific Process Hazard Analysis methodology being used.
5010076	19 CCR 2 5100.2(e)	Failure to address the following in the Process Hazard Analysis: 1. Establish a system to address the teams findings and recommendations; 2. Assure that the recommendations are resolved and documented; 3. Document what actions are to be taken; 4. Develop a written schedule of when these actions are to be completed; 5. Complete these actions on a timetable agreed upon with the UPA, or within two and one-half (2.5) years of performing the PHA, or the next planned turnaround, for those items that require a turnaround; 6. Document the final resolution taken to address each recommendation and actual completion date; and 7. Communicate the actions to operating, maintenance and other employees whose work assignments are in the process and who may be affected by the recommendations or actions.
5010077	19 CCR 2 5100.2(f)	Failure to update and revalidate the Process Hazard Analysis at least every five years after the completion of the initial Process Hazard Analysis.
5010078	19 CCR 2 5100.2(g)	Failure to retain the Process Hazard Analysis and updates/revalidations for each covered process as well as the documented resolution of recommendations for the life of the process.
Operating Procedures		
5010079	19 CCR 2 5100.3(a)	Failure to develop and implement written operating procedures that provide clear instructions for safely conducting activities involved in each covered process consistent with the process safety information.

5010080	19 CCR 2 5100.3(a)(1)	Failure to develop and implement written operating procedures that address at least the following operating phases: <ol style="list-style-type: none"> 1. Initial startup; 2. Normal operations; 3. Temporary operations; 4. Emergency shutdown including the conditions under which emergency shutdown is required, and the assignment of shutdown responsibility to qualified operators to ensure that emergency shutdown is executed in a safe and timely manner; 5. Emergency operations; 6. Normal shutdown; 7. Startup following a turnaround, or after an emergency shutdown.
5010081	19 CCR 2 5100.3(a)(2)	Failure to develop and implement written operating procedures that address at least the following operating limits: <ol style="list-style-type: none"> 1. Consequences of deviation; and, 2. Steps required to correct or avoid deviation.
5010082	19 CCR 2 5100.3(a)(3)	Failure to develop and implement written operating procedures that address at least the following safety and health considerations: <ol style="list-style-type: none"> 1. Properties of, and hazards presented by, the chemicals used in the process; 2. Precautions necessary to prevent exposure, including engineering controls, administrative controls, and personal protective equipment; 3. Control measures to be taken if physical contact or airborne exposure occurs; 4. Quality control for raw materials and control of hazardous chemical inventory levels; 5. Any special or unique hazards.
5010083	19 CCR 2 5100.3(a)(4)	Failure to develop and implement written operating procedures that address safety systems and their functions.
5010084	19 CCR 2 5100.3(b)	Failure to make operating procedures readily accessible to employees who work in or maintain a process.
5010085	19 CCR 2 5100.3(c)	Failure to review operating procedures as often as necessary to assure that they reflect current operating practice, including changes that result from changes in process chemicals, technology, and equipment, and changes to stationary sources.
5010086	19 CCR 2 5100.3(c)	Failure to certify annually that the operating procedures are current and accurate.
5010087	19 CCR 2 5100.3(d)	Failure to develop and implement safe work practices to provide for the control of hazards during operations such as logout/tagout; confined space entry; opening process equipment or piping; and control over entrance into the stationary source by maintenance, contractor, laboratory, or other support personnel.
Training		
5020006	19 CCR 2 5100.4(a)	Failure to train each employee presently involved in operating a process, and each employee before being involved in operating a newly assigned process on the following: <ol style="list-style-type: none"> 1. Overview of the process; 2. Operating procedures; 3. Safety & health hazards; 4. Emergency operations including shutdown; 5. Safe work practices applicable to the employee's job tasks.
5020007	19 CCR 2 5100.4(b)	Failure to provide refresher training at least every three years, and more often if necessary, to each employee involved in operating a process to assure that the employee understands & adheres to the current operating procedures of the process.
5020008	19 CCR 2 5100.4(c)	Failure to prepare a training record which contains: <ol style="list-style-type: none"> 1. Identity of the Employee; 2. Date of training; 3. Means used to verify that the employee understood the training.
Mechanical Integrity		
5010088	19 CCR 2 5100.5(b)	Failure to establish and implement written procedures to maintain the on-going integrity of the process equipment.
5020009	19 CCR 2 5100.5(c)	Failure to train each employee involved in maintaining the on-going integrity of process equipment on the following: <ol style="list-style-type: none"> 1. Overview of the process and its hazards. 2. Procedures applicable to the employee's job tasks to assure that the employee can perform the job tasks in a safe manner.

5030002	19 CCR 2 5100.5(d)	<p>Failure to ensure the following:</p> <ol style="list-style-type: none"> 1. Inspections and tests are performed on process equipment; 2. Inspection and testing procedures follow recognized and generally accepted good engineering practices; 3. The frequency of inspections and tests of process equipment is consistent with applicable manufacturers' recommendations and good engineering practices, and more frequently if determined to be necessary by prior operating experience; 4. Each inspection or test that has been performed on process equipment is documented and includes the date of inspection or test, name of the person who performed the inspection or test, serial number or other identifier of the equipment inspected or tested, description of the inspection or test performed, and the results of the inspection or test.
5030003	19 CCR 2 5100.5(e)	<p>Failure to correct deficiencies in equipment that are outside acceptable limits before further use or in a safe and timely manner when necessary means are taken to assure safe operation.</p>
5030004	19 CCR 2 5100.5(f)	<p>Failure to ensure:</p> <ol style="list-style-type: none"> 1. In the construction of new plants and equipment that equipment as it is fabricated is suitable for the process application for which it will be used. 2. Appropriate checks and inspections are performed to assure that equipment is installed properly and consistent with design specifications and the manufacturer's instructions. 3. Maintenance materials, spare parts, and equipment are suitable for the process application for which they will be used.
Management of Change (MOC)		
5010089	19 CCR 2 5100.6(a)	<p>Failure to establish and implement written procedures to manage changes (except for "replacements in kind") to process chemicals, technology, equipment, and procedures, and changes to stationary sources that affect a covered process.</p>
5010090	19 CCR 2 5100.6(b)	<p>Failure to ensure the following considerations are addressed in the Management of Change procedures prior to any change:</p> <ol style="list-style-type: none"> 1. The technical basis for the proposed change; 2. Impact of change on safety and health; 3. Modifications to and/or development of new operating and maintenance procedures; 4. Necessary time period for the change; 5. Authorization requirements for the proposed change.
5020010	19 CCR 2 5100.6(c)	<p>Failure to ensure employees involved in operating a process and maintenance and contract employees whose job tasks would be affected by a change in the process are informed and trained in the change prior to start-up of the process or affected part of the process.</p>
5010091	19 CCR 2 5100.6(d)	<p>Failure to update process safety information if a management of change occurred that resulted in a change in the process safety information.</p>
5010092	19 CCR 2 5100.6(e)	<p>Failure to update operating procedures or practices if a management of change occurred that resulted in a change in the operating procedures or practices and/or resulted in a change in the written procedures to maintain the ongoing integrity of process equipment required by Section 5100.5, such procedures or practices shall be updated prior to start-up of the process.</p>
Pre-Startup Safety Review		
5010093	19 CCR 2 5100.7(a)	<p>Failure to perform a pre-startup safety review for new stationary sources and for modified stationary sources when the modification is significant enough to require a change in the process safety information.</p>
5010094	19 CCR 2 5100.7(b)	<p>Failure to ensure that the pre-startup safety review confirms, as a verification check, independent of the MOC process, the following prior to the introduction of a regulated substances to a process:</p> <ol style="list-style-type: none"> 1. Construction and equipment is in accordance with design specifications. 2. Safety, operating, maintenance & emergency procedures are in place and are adequate. 3. For new stationary sources, a PHA has been performed and recommendations have been resolved or implemented before startup, and modified stationary sources meet the requirements contained in the MOC, Section 5100.6. 4. Training of each employee involved in operating a process had been completed.
Compliance Audits		
5010095	19 CCR 2 5100.8(a)	<p>Failure to certify that they have evaluated compliance with the provisions of 19 CCR 2 Article 6 at least every three years to verify that the procedures and practices developed under 19 CCR 2 are adequate and are being followed.</p>

5010096	19 CCR 2 5100.8(b)	Failure to ensure that the compliance audit is conducted by at least one person knowledgeable in the process.
5010097	19 CCR 2 5100.8(c)	Failure to develop and have available for review, a report of the scope, methods used, results and findings of the audit.
5010098	19 CCR 2 5100.8(d)	Failure to: <ol style="list-style-type: none"> 1. Promptly determine and document an appropriate response to each of the findings of the compliance audit; 2. Enter into an agreement with the UPA on a timetable for resolution of these findings. Otherwise these responses shall be completed one and one-half (1.5) years after performing the compliance audit, or the next planned turnaround for items requiring a turnaround (these timelines shall not apply to any compliance audit completed prior to January 1, 2015); 3. Document the actual completion dates when deficiencies were corrected.
5010099	19 CCR 2 5100.8(e)	Failure to retain the two most recent compliance audit reports.
Incident Investigations		
5010100	19 CCR 2 5100.9(a)	Failure to investigate each incident which resulted in, or could reasonably have resulted in, a catastrophic release of a regulated substance.
5010101	19 CCR 2 5100.9(b)	Failure to initiate an incident investigation as promptly as possible, but not later than 48 hours following the incident.
5010102	19 CCR 2 5100.9(c)	Failure to establish an incident investigation team that consists of at least one person knowledgeable in the process involved, including a contract employee if the incident involved work of the contractor, and other persons with appropriate knowledge and experience to thoroughly investigate and analyze the incident.
5010103	19 CCR 2 5100.9(d)	Failure to prepare a report at the conclusion of the investigation which includes at a minimum: <ol style="list-style-type: none"> 1. Date the investigation began; 2. A description of the incident, including all of the data required under 5080.9(b); and, 3. Recommendations resulting from the investigation.
5010104	19 CCR 2 5100.9(e)	Failure to: <ol style="list-style-type: none"> 1. Establish a system to promptly address and resolve the incident report findings and recommendations; 2. Enter into an agreement with the UPA on a timetable for resolution of these findings and recommendations. Otherwise these resolutions shall be completed no later than one and one-half (1.5) years after completion of the incident investigation, or two (2) years after the date of the incident, whichever is the earlier of the two dates, or the next planned turnaround for those items requiring turnaround. 3. Failure to document resolutions and corrective actions with actual completion dates.
5010105	19 CCR 2 5100.9(f)	Failure to review the incident investigation report with all affected personnel whose job tasks are relevant to the incident findings including contract employees where applicable.
5010106	19 CCR 2 5100.9(g)	Failure to retain the incident investigation reports for five years.
Employee Participation		
5010107	19 CCR 2 5100.10(a)	Failure to develop a written plan of action regarding the implementation of employee participation.
5010108	19 CCR 2 5100.10(b)	Failure to consult with employees and their representatives on the conduct and development of the Process Hazard Analysis and on the development of the other elements of process safety management.
5010109	19 CCR 2 5100.10(c)	Failure to provide employees and their representatives with access to the Process Hazards Analysis and to all other information required to be developed under 19 CCR Chapter 2.
Hot Work Permit		
5010110	19 CCR 2 5100.11(a)	Failure to issue a hot work permit for hot work operations conducted on or near a covered process.
5010111	19 CCR 2 5100.11(b)	Failure to ensure the hot work permit documents the following: <ol style="list-style-type: none"> 1. The fire prevention and protection requirements in 8CCR 5189 (Process Safety Management of Acutely Hazardous Materials) have been implemented prior to beginning the hot work operations. 2. The date(s) authorized for hot work. 3. The object on which hot work is to be performed identified.
5010112	19 CCR 2 5100.11(b)	Failure to keep the hot work permit on file until completion of the hot work operations.

Contractors		
5010113	19 CCR 2 5100.12(b)	<p>Failure to perform the following:</p> <ol style="list-style-type: none"> 1. Obtain and evaluate information regarding the contract owner or operator's safety performance and programs when selecting a contractor. 2. Inform the contract owner or operator of the known potential fire, explosion, or toxic release hazards related to the contractor's work and the process. 3. Explain to the contract owner or operator the applicable provisions of Article 8 (Emergency Response Program). 4. Develop and implement safe work practices consistent with the Section 5100.3(d) (operating procedures), to control the entrance, presence, and exit of the contract owner or operator and contract employees in covered process areas.
5010114	19 CCR 2 5100.12(b)(5)	<p>Failure to periodically evaluate and document the evaluation of the performance of the contract owner or operator in fulfilling the following:</p> <ol style="list-style-type: none"> 1. Each contract employee is trained in the work practices necessary to safely perform his or her job. 2. Each contract employee is instructed in the known potential fire, explosion, or toxic release hazards related to his or her job and the process, and the applicable provisions of the emergency action plan. 3. Document that each contract employee has received and understood the training required by this section. 4. Prepare a training record which contains the identity of the contract employee, date of training, and the means used to verify that the employee understood the training. 5. Each contract employee follows the safety rules of the stationary source including the safe work practices required by Section 5100.3(d) (operating procedures). 6. Advise the owner or operator of any unique hazards presented by the contract owner or operator's work, or of any hazards found by the contract owner or operator's work.
General		
5030005	HSC 6.95 25531.2(b)	<p>Failure to:</p> <ol style="list-style-type: none"> 1. Identify hazards that may result from releases using appropriate hazard assessment techniques. 2. Design and maintain a safe facility taking those steps as are necessary to prevent releases. 3. Minimize the consequences of accidental releases that do occur.
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

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"/>	5010121	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5010090	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5010001	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5010115	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5020010	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5010002	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5010116	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5010091	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5010003	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5010117	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5010092	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5010263	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5010118	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5010093	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5010264	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5010064	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5010094	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5010004	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5010065	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5010095	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5010009	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5010066	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5010096	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5010010	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5010067	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5010097	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5010011	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5010068	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5010098	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5010007	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5010069	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5010099	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5010018	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5010070	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5010100	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5010016	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5010072	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5010101	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5010017	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5010073	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5010102	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5010020	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5010074	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5010103	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5010021	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5010075	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5010104	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5010024	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5010076	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5010105	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5010025	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5010077	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5010106	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5010026	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5010078	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5010107	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5010027	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5010079	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5010108	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5010028	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5010080	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5010109	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5010029	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5010081	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5010110	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5010030	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5010082	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5010111	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5010031	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5010083	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5010112	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5010032	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5010084	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5010113	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5010033	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5010085	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5010114	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5010262	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5010086	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5030005	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5010034	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5010087	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5010	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5010022	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5020006	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5015	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5010008	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5020007	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5020	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5010012	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5020008	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5025	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5010013	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5010088	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5030	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5010014	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5020009	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5035	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5010015	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5030002	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5040	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

