



## I can Throw my EMPTY Container Away... Right?

### Hazardous Waste

A container that previously held hazardous waste is "empty" only if the contents are no longer pourable or if the contents have been scraped out as much as reasonably possible. If the container is not empty, it must be disposed as a hazardous waste. If the container is empty, the handling varies with the volume of the container.

#### Five gallons or less:

Empty containers, or inner liners removed from containers, of five gallons or less that once contained a hazardous substance, are not regulated if all the contents have been poured out, or scraped out. Empty containers of five gallons or less may be discarded to the municipal trash.

#### Greater than five gallons:

Empty containers, or inner liners removed from containers, of greater than five gallons in size that once contained a hazardous substance, must be sent out on a bill of lading to a drum recycler or reconditioner for scrap value or sent back to the manufacturer for refilling within one year of being emptied. Containers greater than 5 gallons in size cannot be put into the municipal trash or municipal landfill.

Containers which previously held acute or extremely hazardous waste are considered empty only if the container has been triple-rinsed using a solvent capable of removing the material, or cleaning by another method which is proven to achieve equivalent removal to triple-rinsing. These activities may require formal authorization (permitting) by DTSC or the Certified Unified Program Agency (CUPA).

*Containers must be managed within one year, labeled with the word "Empty" and marked with the date it was emptied. ●*

## Upcoming Events

### Advanced UST Workshop & Introduction to Electronic Reporting for Tank Owners

Has been postponed until early 2011!!  
More to follow!

## We're Making it Easier for You!

### Underground Storage Tanks

The Orange County CUPA underground storage tank (UST) website has been updated to make it more user-friendly and informative. The site features announcements, deadlines, updates to regulations, information on alternative fuels, forms, links, timelines, FAQs, the guidance document "UST: The Basics" and the much-anticipated E-Submit Business Portal.



The Business Portal reduces the amount of paperwork that must be submitted, and allows for modification to existing information. Environmental Health will be offering a workshop in early 2011, to tank owners and operators that will cover the features of the E-Submit Business Portal, as well as more advanced UST topics such as plan checks and tank modifications.

Links to Orange County agencies that also administer UST programs are available, as well as links to California laws and regulations, the Contractors Board and ICC certificate verification. Now tank owners and operators hiring personnel to work at their site can verify some of the required qualifications. Contact information for district staff is also provided in the event that there is a question that is not answered on the website.

Please visit the new and improved UST website at [www.occupainfo.com/ust.htm](http://www.occupainfo.com/ust.htm). If there is a feature or topic that you would like to see on the website, please contact Royce Long at [rlong@ochca.com](mailto:rlong@ochca.com) or (714) 433-6240. ●

# Financial Assurance

Under the California Hazardous Waste Control Law, businesses that treat their hazardous waste are required to provide financial assurance for closure. Permit by Rule (PBR) and Conditionally Authorized (CA) facilities must complete a closure cost estimate and provide financial assurance for closure. The closure cost estimate is based on a list of activities to be performed during closure. A typical cost estimate would include the costs for removal of waste, treatment and disposal of the wastes and residues removed from the system, decontamination of the tank and containment systems, demolition and removal of the containment system, labor, materials and equipment, sampling and analysis to confirm decontamination of components of the system or removal of contaminated soil, remediation cost, if required, for treating and/or removing contaminated soil, cost of obtaining a certificate of closure from an independent Registered Engineer (PBR sites only), and other related expenses. Once the closure cost estimate has been prepared, a business may offset the total dollar amount by including the salvage value, if any, of the equipment.



Businesses must review and update their closure cost estimate every year. At a minimum, each business must adjust the closure cost estimate to account for inflation. Adjustments would also be required if a change has been made in the closure plan or estimated closure activities. Businesses may choose to create a new closure cost estimate each year or utilize the inflation factor to demonstrate compliance with the inflation requirement.

Adjustments for inflation are calculated by using the prior year's closure cost estimate and multiplying it by the inflation factor for the current year. The Orange County CUPA notifies businesses in January of the current inflation factor. If your business chooses to utilize the inflation factor, remember to apply the inflation factor to the closure cost only – do not apply the inflation factor to any salvage value that may have been part of your prior year's closure cost. Be sure to document depreciation costs associated with your salvage value before adding them to the updated closure cost estimate. ●

**Remember, to submit updated financial assurance forms by March 1st ever year!**

## SO, YOU NEED AN SPCC

### Aboveground Storage Tanks

For those businesses within Orange County who are subject to Aboveground Storage Tank regulations, it is time to make sure that your Spill Prevention Control and Countermeasure Plan (SPCC) is in order. What is an SPCC you ask? Any business that has  $\geq 1,320$  gallons of petroleum products (in  $\geq 55$  gallon containers) is subject to the California Aboveground Petroleum Storage Act (APSA). There are three "levels" of facilities within the program. They are:

businesses that store between 1,320 and 9,999 gallons, businesses that store 10,000 gallons or greater and "farms/nurseries/construction sites (FNCS).

If your business has  $\geq 10,000$  gallons of petroleum on site, you must prepare an SPCC that is reviewed and certified by a licensed Professional Engineer (PE) every five years. If your business is a FNCS, you do not have to prepare an SPCC as long as you meet certain requirements. If your business has 1,320-9,999 gallons, you are allowed to complete an abbreviated SPCC, known as a Tier I or Tier II SPCC ([www.occupainfo.com](http://www.occupainfo.com)). These are abbreviated SPCCs that may be completed by the business and do not require a PE certification. Please understand that even though you are allowed to complete a "less stringent" SPCC, you are still required to implement the plan completely, which requires

specific container management standards, employee training and emergency preparedness. This is a program that requires active participation from the business throughout the year, not just a completion of the SPCC and letting it sit on the shelf.

The OCCUPA web site [www.occupainfo.com/ast.htm](http://www.occupainfo.com/ast.htm) contains information that will help all three levels of businesses in completing their SPCC. It has FAQs, examples, pre recorded training sessions, links to local, State and Federal web sites to assist you in completing your SPCC and a list of the OCCUPA inspector assigned to your specific business. We highly recommend that you visit our web site (click on the APST link) and take advantage of the assistance available to you and your business. Remember, when in doubt; call your OCCUPA inspector for assistance. It is our goal to help all our businesses gain compliance via education. ●

