


Preparing an APSA Submittal

How do I complete and submit the Aboveground Petroleum Storage Act (APSA) submittal after April 1, 2019?

Answer: After April 1, 2019, the Aboveground Petroleum Storage question in the Business Activities section will be revised as shown below. If you answer 'yes' to this question, your tank facility is considered to be regulated under the APSA Program and CERS will automatically set the APSA Program Submittal Element reporting requirement to 'Applicable.'¹ The APSA Program Submittal Element will be required to be completed, which includes the APSA Facility Information, APSA Documentation, and the optional Miscellaneous State-Required Documents.

Aboveground Petroleum Storage

Does your facility own or operate aboveground petroleum storage tanks or containers AND: 


- have a total aboveground petroleum storage capacity of 1,320 gallons or more, OR
- have one or more petroleum tanks in an underground area?

Yes No

Refer to the following steps and screenshots for directions on your APSA submittal.

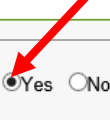
Preliminary Step – Mark 'Yes' to the Aboveground Petroleum Storage question in Business Activities

Aboveground Petroleum Storage

Does your facility own or operate aboveground petroleum storage tanks or containers AND: 

- have a total aboveground petroleum storage capacity of 1,320 gallons or more, OR
- have one or more petroleum tanks in an underground area?

Yes No



Although you may have marked 'No' to this question in the past, you are now required to mark 'Yes' if you have less than 1,320 gallons of petroleum **and** a tank in an underground area (TIUGA).²

A tank facility is regulated under APSA if:

- The tank facility is subject to the Federal Spill Prevention, Control, and Countermeasure (SPCC) requirements found in the Code of Federal Regulations (CFR), Title 40, Part 112; **or**
- The tank facility's total aboveground petroleum storage capacity is 1,320 gallons or more of petroleum; **or**
- The tank facility has one or more TIUGAs, regardless of the total aboveground petroleum storage capacity.

¹ For information on whether your facility is regulated under APSA, visit the CERS Help Materials website at <https://cers.calepa.ca.gov/about-cers/help-materials/> and refer to the guide called 'Is My Facility Regulated Under APSA?' or contact your local Unified Program Agency (UPA) (<http://cersapps.calepa.ca.gov/Public/Directory/>).

² For information on TIUGAs, refer to the 'OSFM Guide to Tanks in Underground Areas' (<http://osfm.fire.ca.gov/cupa/pdf/TIUGA-FactSheet.pdf>) on the CAL FIRE-OSFM APSA Program website at <http://osfm.fire.ca.gov/cupa/apsa>.

Step 1 – Click ‘Start’ on the Aboveground Petroleum Storage Act on the ‘Prepare Draft Submittal’ page

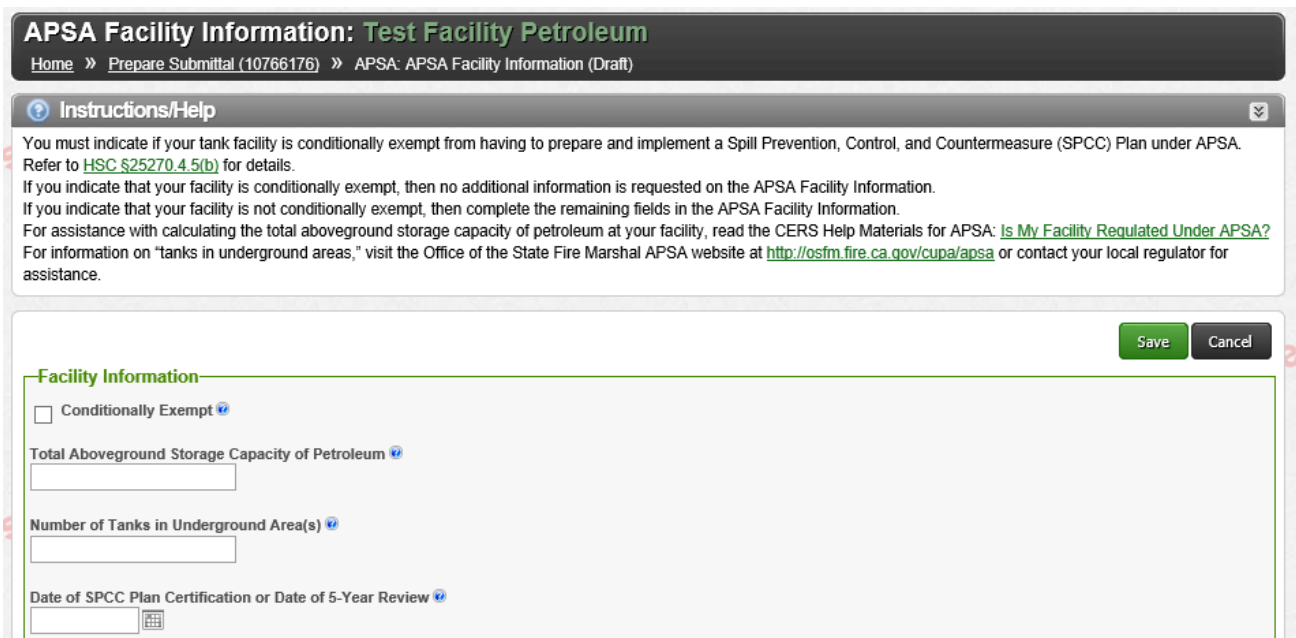


Step 2 – Go to and complete the APSA Facility Information section

For tank facilities that have made a previous APSA submittal (such as the APSA Documentation), select the ‘APSA Facility Information’ link under the ‘Aboveground Petroleum Storage Act’ section.



For new facilities or facilities that have not made a previous APSA submittal, once you click on the ‘Start’ button on the Aboveground Petroleum Storage Act header, you will be taken directly to the APSA Facility Information section as shown below.



Conditionally Exempt: This field indicates if the tank facility is located on and operated by a farm, nursery, logging site, or construction site **and** if the following conditions are met pursuant to Health and Safety Code (HSC) §25270.4.5(b):

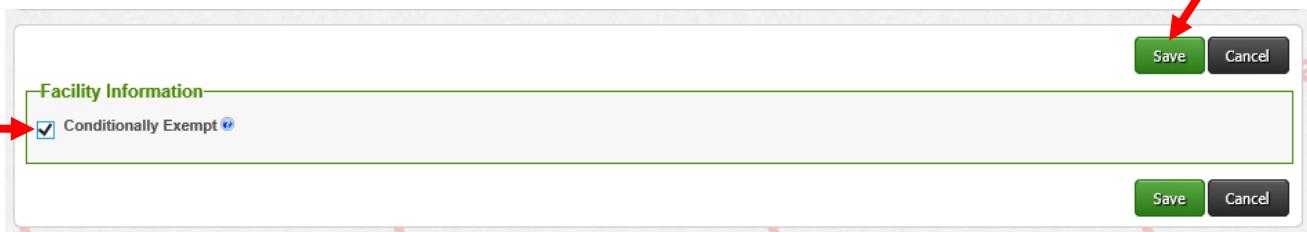
- (1) No aboveground storage tank exceeds 20,000 gallons; **and**
- (2) The cumulative storage capacity of the tank facility does not exceed 100,000 gallons.

Note: There are farms that are **completely excluded** from APSA and should mark 'No' on the Aboveground Petroleum Storage question in the Business Activities section. Completely excluded farms are not subject to answering this conditionally exempt question in CERS. For more information on farms, refer to the fact sheet called 'APSA and SB 612 for Farms' (<http://osfm.fire.ca.gov/cupa/pdf/Farm%20Fact%20Sheet%2019Feb2016.pdf>) on the CAL FIRE-OSFM APSA Program website at <http://osfm.fire.ca.gov/cupa/apsa>.

If your tank facility is conditionally exempt, your tank facility is not required to prepare and implement an SPCC Plan under the APSA Program, but you must:³

- (1) Conduct daily visual inspections of any petroleum storage tank, container or equipment;
- (2) Allow the UPA to conduct a periodic inspection of the tank facility; **and**
- (3) Install secondary containment for each tank or group of tanks if determined necessary by the UPA.

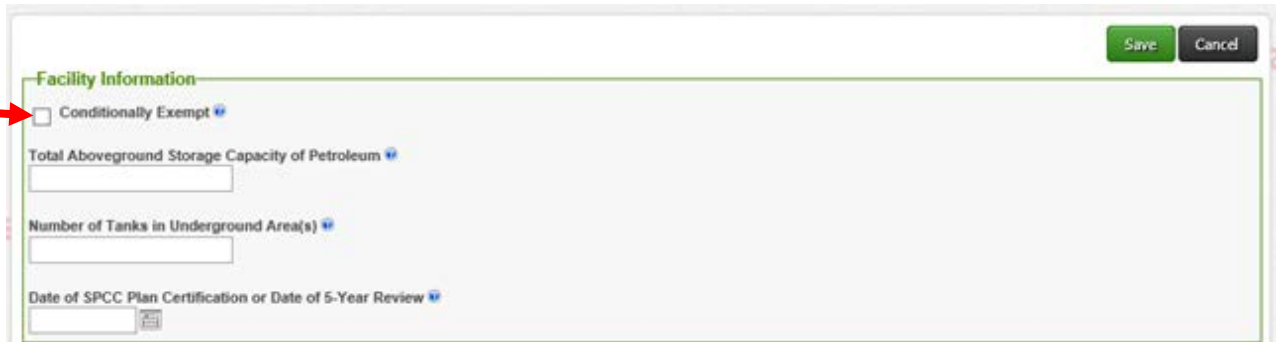
If your tank facility is conditionally exempt, check the box next to 'Conditionally Exempt'. You have completed your APSA Facility Information. Click 'Save' and continue to the Aboveground Petroleum Storage Act Documentation section (Step 3).



The screenshot shows a web form titled "Facility Information". Inside the form, there is a checkbox labeled "Conditionally Exempt" which is checked. To the right of the form, there are two buttons: "Save" (green) and "Cancel" (grey). A red arrow points to the "Save" button, and another red arrow points to the "Conditionally Exempt" checkbox.

³ A conditionally exempt APSA tank facility may still be required to prepare and implement an SPCC Plan under the Federal SPCC requirements.

If your tank facility is not conditionally exempt, leave the box next to 'Conditionally Exempt' unchecked and continue to the remaining applicable data fields.



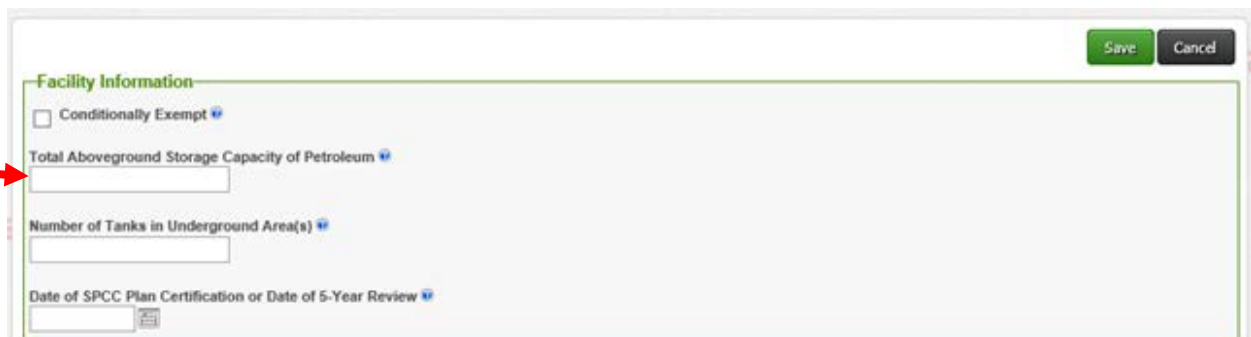
The screenshot shows a web form titled "Facility Information" with a "Save" button and a "Cancel" button in the top right corner. The form contains the following fields:

- Conditionally Exempt
- Total Aboveground Storage Capacity of Petroleum
- Number of Tanks in Underground Area(s)
- Date of SPCC Plan Certification or Date of 5-Year Review

A red arrow points to the "Conditionally Exempt" checkbox, which is currently unchecked.

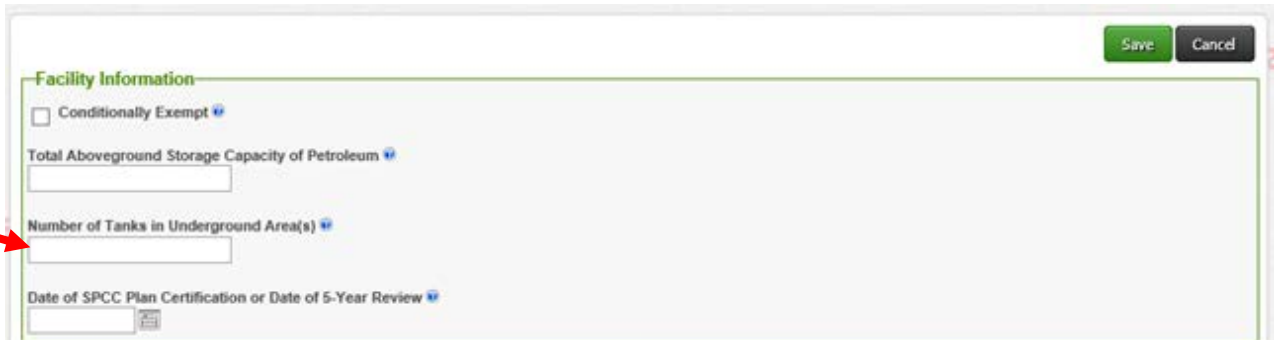
Total Aboveground Storage Capacity of Petroleum: Enter the total number of gallons from your tank facility's aboveground petroleum storage capacity by adding together the aggregate shell capacities of all ASTs, containers, equipment, and TIUGAs, with a shell capacity equal to or greater than 55 gallons of petroleum. To calculate the capacity of 55-gallon drums at your tank facility, use the maximum number of drums that would typically be stored at your facility. **Do not** count tanks, containers or equipment that are excluded under APSA. For APSA exclusions, refer to HSC §25270.2(a)(1)-(8) at http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=HSC§ionNum=25270.2.

For assistance with determining the total aboveground petroleum storage capacity, refer to the CERS Help Material called 'Is My Facility Regulated Under APSA' available at <https://cers.calepa.ca.gov/about-cers/help-materials/> or contact your local UPA (<http://cersapps.calepa.ca.gov/Public/Directory/>).




The screenshot shows the same "Facility Information" form as above. A red arrow points to the "Total Aboveground Storage Capacity of Petroleum" text input field, which is currently empty.

Number of TIUGAs: When entering the number of TIUGAs, report the total number of *stationary* storage tanks with a shell capacity of 55 gallons or more of petroleum that is located on or above the surface of the floor in a structure at least 10 percent below the ground surface (such as a basement, cellar, shaft, pit or vault) and meet the definition found in HSC §25270.2(o) (http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=HSC§ionNum=25270.2). **Do not** count drums or portable containers/tanks as TIUGAs. If your tank facility does not have any TIUGA, then enter '0' (zero). For more information on TIUGAs, visit the CAL FIRE-OSFM APSA Program website at <http://osfm.fire.ca.gov/cupa/apsa>.



The screenshot shows a web form titled "Facility Information" with a "Save" button and a "Cancel" button in the top right corner. The form contains the following fields: a checkbox for "Conditionally Exempt", a text input for "Total Aboveground Storage Capacity of Petroleum", a text input for "Number of Tanks in Underground Area(s)", and a date input for "Date of SPCC Plan Certification or Date of 5-Year Review". A red arrow points to the "Number of Tanks in Underground Area(s)" field.

Date of SPCC Plan Certification or Date of 5-Year Review: Enter your tank facility's SPCC Plan certification date (either the date the professional engineer certified your SPCC Plan or the self-certification date of your SPCC Plan) or the last SPCC Plan 5-year review date, whichever is more recent.⁴ You cannot enter a future date. If your tank facility does not have an SPCC Plan, this field can be left blank.



The screenshot shows the same "Facility Information" form as above. A red arrow points to the "Date of SPCC Plan Certification or Date of 5-Year Review" field.

⁴ The 5-year review of your SPCC Plan does not have to be completed by a professional engineer.

If your facility is not conditionally exempt and the SPCC Plan certification date or 5-year review date is left blank, you may still submit the APSA Facility Information, but you will receive the following warning.

Submittal Guidance

All (1) Required (0) Warning (1) Advisory (0)

Warning guidance let you know of issues that probably apply to you, but are not required to resolve before submitting the Aboveground Petroleum Storage Act submittal element.

⚠ If not Conditionally Exempt from preparing and implementing an SPCC Plan, your facility could be subject to penalties if the Date of SPCC Plan Certification or Date of 5-Year Review is not provided

Once you complete the data fields in the APSA Facility Information, click 'Save' and continue to Step 3.

The screenshot shows a form titled "Facility Information" with the following fields: "Conditionally Exempt" (checkbox), "Total Aboveground Storage Capacity of Petroleum" (text input with value 10000), "Number of Tanks in Underground Area(s)" (text input with value 0), and "Date of SPCC Plan Certification or Date of 5-Year Review" (calendar input with value 7/1/2016). There are "Save" and "Cancel" buttons at the top right and bottom right of the form. A red arrow points to the top-right "Save" button.

Step 3 – Click on and complete the Aboveground Petroleum Storage Act Documentation

The screenshot shows the "Aboveground Petroleum Storage Act" submittal interface. It includes a "DRAFT Mar. 27, 2019" status, a "Submit" button, and a "Ready to Submit" indicator. A red arrow points to the "Aboveground Petroleum Storage Act Documentation" link in the navigation menu. Other links include "APSA Facility Information", "Discard Draft Submittal", "Miscellaneous State-Required Documents", and "Add Comment To Regulator". A "Review Needed" indicator is also visible.

To complete the APSA Documentation section, all tank facilities, including conditionally exempt tank facilities, must either submit a completed Tank Facility Statement or submit a Hazardous Materials Business Plan per HSC 25270.6(a).

For details on the Tank Facility Statement requirement, review the 'Aboveground Petroleum Tank Facility Statement Reporting Requirements' on the CERS Help Materials website at <https://cers.calepa.ca.gov/about-cers/help-materials/>. The Tank Facility Statement form (<http://osfm.fire.ca.gov/cupa/pdf/TankFacilityStatement.pdf>) may be downloaded from the CAL FIRE-OSFM APSA Program website at <http://osfm.fire.ca.gov/cupa/apsa>.

If you are required to submit a Hazardous Materials Business Plan (HMBP), select the 'Provided Elsewhere in CERS' option (1), select the "Hazardous Materials Inventory" to designate where this information is found (2), and then click on the 'Save' button (3).

Note: Do not select 'Public Internet URL,' 'Provided to Regulator,' 'Stored at Facility,' or 'Exempt.' If your tank facility is conditionally exempt, do not select 'Exempt.'

Document Options

- Upload Document(s)
- Public Internet URL
- Provided Elsewhere in CERS
- Provided to Regulator
- Stored at Facility
- Exempt

Provided Elsewhere in CERS

If requirements for this supplemental documentation can be satisfied by another document you have provided in CERS, please indicate the submittal element where the document can be found and provide the submittal date or other comments to assist your regulator in locating this document in your current/previous CERS facility submittals.

Supplied in Submittal Element...

- Facility Information
- Hazardous Materials Inventory
- Emergency Response and Training Plans
- Aboveground Petroleum Storage Act

Indicate submittal date or other explanation...

If you're not required to submit an HMBP, upload a completed Tank Facility Statement as follows:

1. Select the 'Upload Document(s)' option,
2. Click on the 'Browse' button and locate the file on your computer to upload,
3. Provide a document title (default is 'Aboveground Petroleum Storage Documentation'), and
4. Select 'Save & Finish'.

Note: SPCC Plans are not required to be uploaded to CERS and, therefore, SPCC Plans should not be uploaded to CERS.

Document Options

- Upload Document(s)
- Public Internet URL
- Provided Elsewhere in CERS
- Provided to Regulator
- Stored at Facility
- Exempt

Document Upload(s) [CERS Document Upload Policy](#)

Upload Document

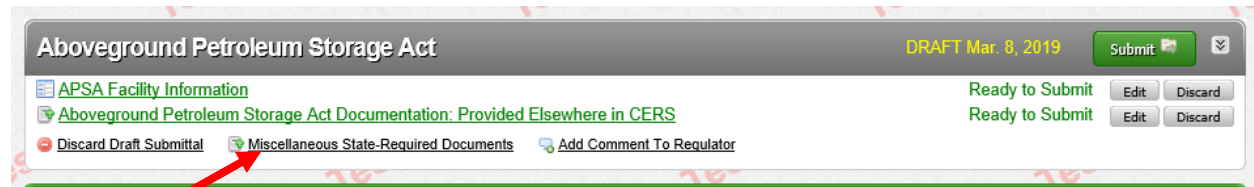
Date Authored (Required)

Document Title (Required)

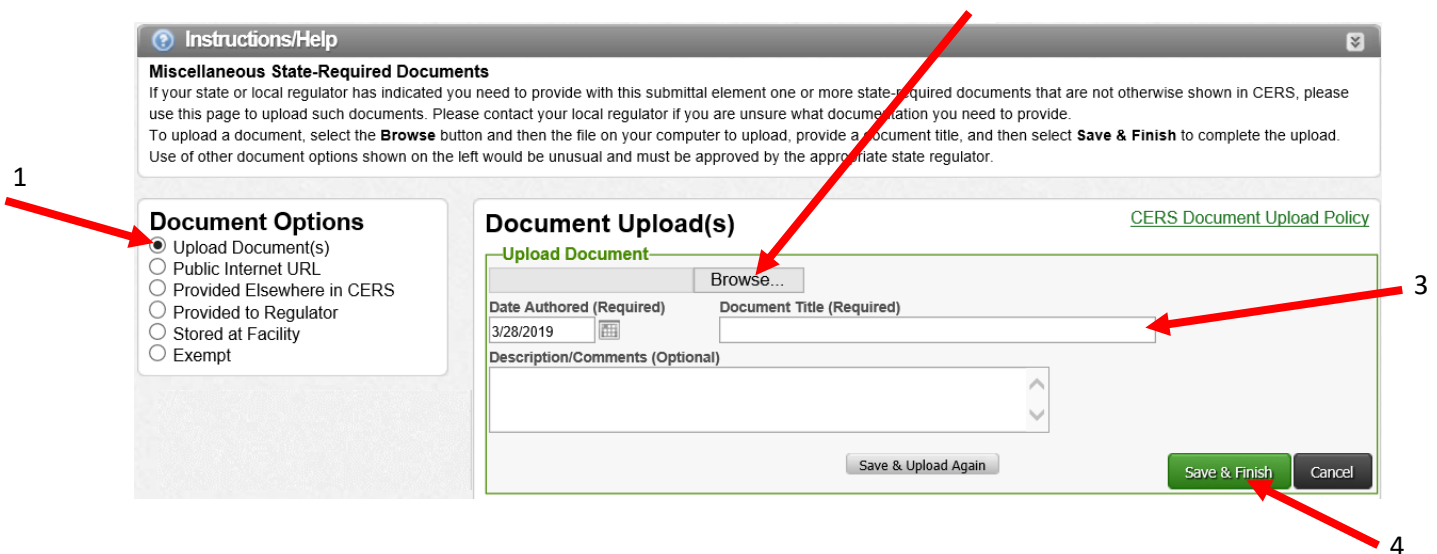
Description/Comments (Optional)

Step 4 – Miscellaneous State-Required Documents (Optional)

If you want to submit other APSA documents (such as the *optional* TIUGA Notification Form), you have the option to select the ‘Miscellaneous State-Required Documents.’⁵ If not submitting any other APSA document(s), then skip this step and go to Step 5.

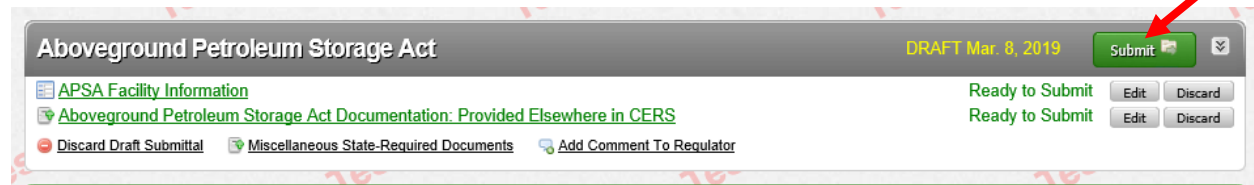


Select ‘Upload Document(s)’ (1), click on the ‘Browse’ button and locate the file on your computer to upload (2), provide a document title, and then select ‘Save & Finish’.



Step 5 – Submit the APSA submittal elements

Once you are back on the ‘Prepare Draft Submittal’ page, verify that all APSA submittal elements are ready to be submitted. When the APSA Facility Information and Aboveground Petroleum Storage Act Documentation links are green and marked ‘Ready to Submit,’ then click ‘Submit’ to file your APSA Program Submittal Element.



⁵ The TIUGA Notification Form (http://osfm.fire.ca.gov/cupa/pdf/TIUGA_Notification_form-18May2018.pdf) is available for download on the CAL FIRE-OSFM APSA Program website at <http://osfm.fire.ca.gov/cupa/apasa>.

On the Submittal Summary page, click on the 'Submit Selected Elements' to confirm, certify and submit your facility submittal. That's it – you are done!

Confirm, Certify, and Submit Your Facility Submittal Submit Selected Elements

Certification Statement: Based on my own knowledge and/or on my inquiry of those individuals responsible for obtaining the information, I, (CERS Account username), certify on 3/28/2019 under penalty of law that I have personally examined and am familiar with the information submitted and believe the information is true, accurate, and complete.

What if I have already made an annual HMBP submittal to CERS before April 1, 2019? Do I have to log back into CERS to satisfy the APSA Program Submittal Element?

Answer: If you already submitted your annual HMBP before April 1, 2019, and you are an APSA tank facility, you are not required to start a new submittal to make an APSA submittal. You can wait until your next annual HMBP submittal to make the APSA submittal.

Note: If you make edits to your HMBP submittal after April 1, 2019, you may be required to complete the APSA Program Submittal Element in CERS.

RESOURCES

APSA: Health and Safety Code, Division 20, Chapter 6.67

(http://leginfo.legislature.ca.gov/faces/codes_displayText.xhtml?division=20.&chapter=6.67.&lawCode=HSC)

SPCC Rule: Code of Federal Regulations, Title 40, Part 112 ([https://www.ecfr.gov/cgi-bin/text-idx?SID=9a21cebf7a9dd0d4948a9bfba743d2ad&mc=true&tpl=/ecfrbrowse/Title40/40cfr112_main_02.t](https://www.ecfr.gov/cgi-bin/text-idx?SID=9a21cebf7a9dd0d4948a9bfba743d2ad&mc=true&tpl=/ecfrbrowse/Title40/40cfr112_main_02.tpl))

CAL FIRE-OSFM APSA website: <http://osfm.fire.ca.gov/cupa/apsa>

CERS Help Materials: <https://cers.calepa.ca.gov/about-cers/help-materials/>