

Peter Hague/PH/COSLO

07/07/2008 09:38 AM

To John McKenzie/Planning/COSLO@Wings,
enewman@excelaron.net

cc

bcc

Subject Excelaron Project Inspection Report

History:

 This message has been replied to.

Hi John,

I performed an inspection of the Huasna oil development project site with Erin and Kit of Excelaron. Attached is a PDF of my inspection report with requirements from Environmental Health. The listed violations are generic to facilities that fall under the State business plan requirements for facilities that handle hazardous material above threshold quantities, and for facilities that will utilize above ground storage tanks. Other requirements are listed in the comments section. I can send you a hardcopy of this report if necessary.

Please call or email if you have any questions.

Thank you.

Peter Hague
Environmental Health Specialist
San Luis Obispo County Public Health Department
Environmental Health Services Division
phague@co.slo.ca.us
(805) 781-5554



Excelaron EH Insp Rpt.pdf

OFFICIAL INSPECTION REPORT

COUNTY OF SAN LUIS OBISPO
 ENVIRONMENTAL HEALTH SERVICES DIVISION
 2156 SIERRA WAY
 PO BOX 1489
 SAN LUIS OBISPO, CA 93406
 805-781-5544
 Fax: 805-781-4211



Estab. Name: EXCELARON
 Site Address: HUASNA TOWNSITE ROAD

Owner: EXCELARON LLC
 679 MONTEREY STREET
 SAN LUIS OBISPO, CA 93401

Telephone:

Facility ID:
 Inspection Date: 7/10/08
 Program/Element: 0700 - HAZARDOUS MATERIALS HANDLER
 Inspection Number: SN0271086
 Service: 008 - REPORT REVIEW
 Result: 00 - NOT APPLICABLE
 Action: 00 - NOT APPLICABLE

Inspector: EE0000129-PETER HAGUE
 Inspection Start Time: Not Specified
 Inspection Stop Time: Not Specified
 Total Inspection Time: 0
 Travel Start Time: Not Specified
 Travel Stop Time: Not Specified
 Total Travel Time: 0

Follow-up Date: Not Specified

An inspection of your facility revealed the following violations. Please note the date for correction as listed per violation. Thank you for your cooperation.

Inspection Violations

BUSINESS PLAN NOT COMPLETE,CURRENT OR AVAILABLE Correct by 1/9/2009 12:00:00AI Not In Compliance POINTS: 0
 BUSINESS PLAN WAS NOT COMPLETE, CURRENT AND/OR AVAILABLE DURING INSPECTION
 (HSC 25503.5, TITLE 19 CCR 2729)
 IMMEDIATELY TAKE NECESSARY ACTION TO ENSURE THAT THE BUSINESS PLAN IS COMPLETE AND AVAILABLE ON SITE. IMPLEMENT A PROCEDURE TO ENSURE THAT THE PLAN IS UPDATED AS REQUIRED BY HEALTH AND SAFETY CODE SECTION 25503.5 AND TITLE 19 CALIFORNIA CODE OF REGULATIONS SECTION 2729. FAILURE TO CORRECT THIS VIOLATION BY THE DATE SPECIFIED IN THIS REPORT MAY RESULT IN CIVIL AND/OR CRIMINAL PENALTIES OF UP TO \$2,000 PER DAY PER VIOLATION, AND/OR THE PENALTIES DESCRIBED IN THE CA HEALTH & SAFETY CODE SECTION 25515.

Inspector Observations:

INVENTORY OF HAZARDOUS MATERIALS INCOMPLETE - 07 Correct by 1/9/2009 12:00:00AI Not In Compliance POINTS: 0
 INVENTORY OF HAZARDOUS MATERIALS WAS NOT COMPLETE (HSC 25504, TITLE 19 CCR 2729)
 IMMEDIATELY COMPLETE THE INVENTORY OF HAZARDOUS MATERIALS AND IMPLEMENT A PROCEDURE TO ENSURE THAT THE INVENTORY OF HAZARDOUS MATERIALS IS UPDATED (AS INVENTORY CHANGES) AS REQUIRED BY HEALTH AND SAFETY CODE SECTION 25504 AND TITLE 19 CALIFORNIA CODE OF REGULATIONS SECTION 2729. FAILURE TO CORRECT THIS VIOLATION BY THE DATE SPECIFIED IN THIS REPORT MAY RESULT IN CIVIL AND/OR CRIMINAL PENALTIES OF UP TO \$2,000 PER DAY PER VIOLATION, AND/OR THE PENALTIES DESCRIBED IN THE CA HEALTH & SAFETY CODE SECTION 25515.

Inspector Observations:

SITE LAYOUT/ FACILITY MAPS ARE INACCURATE - 07 BP030 Correct by 1/9/2009 12:00:00AI Not In Compliance POINTS: 0
 SITE LAYOUT/FACILITY MAPS ARE NOT ACCURATE (HSC 25504, TITLE 19 CCR 2729)
 IMMEDIATELY PREPARE SITE LAYOUT/FACILITY MAPS ACCORDING TO HEALTH AND SAFETY CODE SECTION 25504 AND TITLE 19 CALIFORNIA CODE OF REGULATIONS SECTION 2729 OR CORRECT THE SITE LAYOUT/FACILITY MAPS FOR ACCURACY. FAILURE TO CORRECT THIS VIOLATION BY THE DATE SPECIFIED IN THIS REPORT MAY RESULT IN CIVIL AND/OR CRIMINAL PENALTIES OF UP TO \$2,000 PER DAY PER VIOLATION, AND/OR THE PENALTIES DESCRIBED IN THE CA HEALTH & SAFETY CODE SECTION 25515.

Inspector Observations:

OFFICIAL INSPECTION REPORT

Estab. Name:
Site Address:

Owner:

Telephone:

Facility ID:
Inspection Date: 7/10/08
Program/Element: 0700 - HAZARDOUS MATERIALS HANDLER
Inspection Number: SN0271086
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Action: 00 - NOT APPLICABLE

Inspector: EE0000129-PETER HAGUE
Inspection Start Time: Not Specified
Inspection Stop Time: Not Specified
Total Inspection Time: 0
Travel Start Time: Not Specified
Travel Stop Time: Not Specified
Total Travel Time: 0

Follow-up Date: Not Specified

LACKS APPROPRIATE TRAINING PROGRAM - 07 TR010700 Correct by 1/9/2009 12:00:00AI Not In Compliance POINTS: 5
FACILITY LACKS APPROPRIATE TRAINING PROGRAM (TITLE 19 CCR 2732, TITLE 22 CCR 66265.16)
IMMEDIATELY DEVELOP AN APPROPRIATE TRAINING PROGRAM AND IMPLEMENT A PROCEDURE TO ENSURE THAT THE TRAINING PROGRAM IS UPDATED TO INCLUDE ANY CHANGES IN OPERATIONS. FAILURE TO CORRECT THIS VIOLATION BY THE DATE SPECIFIED IN THIS REPORT MAY RESULT IN CIVIL AND/OR CRIMINAL PENALTIES OF UP TO \$2,000 PER DAY PER VIOLATION, AND/OR THE PENALTIES DESCRIBED IN THE CA HEALTH & SAFETY CODE SECTION 25515.

Inspector Observations:

NO DOCUMENTATION OF TRAINING MAINTAINED ON SITE - Correct by 1/9/2009 12:00:00AI Not In Compliance POINTS: 5
TRAINING DOCUMENTATION FOR CURRENT PERSONNEL IS NOT MAINTAINED ON SITE. (TITLE 19 CCR 2732, TITLE 22 CCR 66265.16)
IMMEDIATELY PREPARE TRAINING DOCUMENTS ACCORDING TO TITLE 19 CALIFORNIA CODE OF REGULATIONS SECTION 2732 AND TITLE 22 CALIFORNIA CODE OF REGULATIONS SECTION 66265.16 AND LOCATE TRAINING DOCUMENTATION ON SITE. FAILURE TO CORRECT THIS VIOLATION BY THE DATE SPECIFIED IN THIS REPORT MAY RESULT IN CIVIL AND/OR CRIMINAL PENALTIES OF UP TO \$2,000 PER DAY PER VIOLATION, AND/OR THE PENALTIES DESCRIBED IN THE CA HEALTH & SAFETY CODE SECTION 25515.

Inspector Observations:

CONTINGENCY PLAN NOT COMPLETE, UP TO DATE, ON SIT Correct by 1/9/2009 12:00:00AI Not In Compliance POINTS: 5
CONTINGENCY PLAN IS NOT COMPLETE, KEPT UPDATED, OR MAINTAINED ON SITE (HSC 25504, TITLE 19 CCR 2731, TITLE 22 CCR 6625.53/54)
IMMEDIATELY COMPLETE, UPDATE AND MAINTAIN CONTINGENCY PLAN ON SITE. IMPLEMENT A PROCEDURE TO ENSURE THAT THE CONTINGENCY PLAN IS KEPT CURRENT AND ON SITE. FAILURE TO CORRECT THIS VIOLATION BY THE DATE SPECIFIED IN THIS REPORT MAY RESULT IN CIVIL AND/OR CRIMINAL PENALTIES OF UP TO \$2,000 PER DAY PER VIOLATION, AND/OR THE PENALTIES DESCRIBED IN THE CA HEALTH & SAFETY CODE SECTION 25515.

Inspector Observations:

SPCC PLAN NOT PREPARED/CERTIFIED WITHIN LAST 5 YRS Correct by 1/9/2009 12:00:00AI Not In Compliance POINTS: 0
SPCC PLAN IS NOT PREPARED AND CERTIFIED BY A REGISTERED ENGINEER WITHIN LAST 5 YEARS. (HSC 25270.5)
PREPARE AND SUBMIT A SPILL PREVENTION CONTROL AND COUNTERMEASURE PLAN TO YOUR INSPECTOR WITHIN 30 DAYS OF THIS NOTICE. THE FINE FOR THIS VIOLATION IS AN INITIAL PENALTY OF \$5,000 PER DAY, PER VIOLATION AND/OR \$10,000 PER DAY PER VIOLATION FOR EACH REPEAT OFFENSE.

Inspector Observations:

SPCC PLAN NOT MAINTAINED ON/NEAR SITE/FIELD OFFICE Correct by 1/9/2009 12:00:00AI Not In Compliance POINTS: 0
SPCC PLAN IS NOT MAINTAINED ON SITE OR IN NEAREST FIELD OFFICE (HSC 25270.5)
IMMEDIATELY DEVELOP A SPILL PREVENTION CONTROL AND COUNTERMEASURE PLAN AND MAINTAIN THE PLAN ONSITE OR IN THE NEAREST FIELD OFFICE. THE FINE FOR THIS VIOLATION IS AN INITIAL PENALTY OF \$5,000 PER DAY, PER VIOLATION AND/OR \$10,000 PER DAY PER VIOLATION FOR EACH REPEAT OFFENSE.

Inspector Observations:

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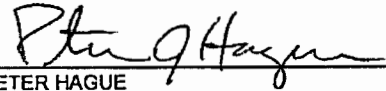
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Total Travel Time: 0

Follow-up Date: Not Specified

This inspection report supersedes a portion of inspection report issued on 7/3/2008. The purpose of this report is to extend the deadline to comply with the above requirements. These requirements are to be met after the entitlement has been issued to Excelaron, LLC to develop the Huasna Townsite facility but before the site becomes operational. The "comply by" dates listed above are to be considered as estimates only, as project time lines may change. All other requirements stipulated in the 7/3/2008 report remain.



PETER HAGUE
Environmental Health Specialist

Received By: _____

Certification: I certify under penalty of perjury that this facility has complied with the corrective actions listed on this inspection form.

Signature of Owner/Operator: _____ Title: _____ Date: _____