



CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY



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California Environmental Protection Agency

Compliance Monitoring and Enforcement (CME) Data must be entered into CERS
Starting fiscal year 2014/2015, CME data must be submitted electronically within 30 days of each completed quarter. Submittal deadlines are listed below:

Fiscal Year Quarterly CME Action Occurs (including updates)	Deadline for Electronic Submittal Of Quarterly CME Data
July 1 – September 30	October 30
October 1 – December 31	January 30
January 1 – March 31	April 30
April 1 – June 30	July 30

Beginning August 1, 2014, CUPAs will be evaluated on quarterly CME electronic reporting requirements for inspection and enforcement activities occurring on or after July 1, 2013.

All CME data must include the complete detail record fields identified in the CERS Regulator Portal (<http://cers.calepa.ca.gov/>) and defined in the Unified Program Data Dictionary (www.calepa.ca.gov/LawsRegs/Regulations/T27/DataDict.pdf).

For more information, please refer to Unified Program Guidance Letter 14-02 (<http://www.calepa.ca.gov/CUPA/Bulletins/2014/Jan17.pdf>).

“Safety Alert” Regarding Ammonia Refrigeration Valve Recalls Available for Distribution

In an effort to raise awareness, the California Department of Public Health (CDPH), Division of Environmental and Occupation Disease Control, Emergency Preparedness Team (EPT) has developed a “Safety Alert” for distribution at ammonia refrigeration facilities regarding the recall of two faulty refrigeration valves manufactured by Hansen and Sporlan and Refrigeration Specialties.

Ammonia is one of the primary chemicals inadvertently released. A faulty valve is often the reason for such releases. CDPH/EPT hopes that combined efforts with Certified Unified Program Agencies and Participating Agencies in advising businesses and raising awareness of product recalls through distribution of this “Safety Alert” will lead to proactive mitigation of potential releases due to valve failure at ammonia refrigeration facilities.

Please see the attached “Safety Alert.” More information can be obtained at the CDPH website (www.cdph.ca.gov/programs/ohb) or by contacting Tracy Barreau (Tracy.Barreau@cdph.ca.gov).

EPA's Risk Management Program (RMP) Request for Information (RFI) has been published in the Federal Register

The RFI seeks comment on potential revisions to EPA's RMP regulations and related programs to modernize its regulations, guidance, and policies, as required under Executive Order (EO) 13650: *Improving Chemical Facility Safety and Security*. The public comment period is for 90 days after publication. The RFI can be found on <https://federalregister.gov/a/2014-18037>.

Loretta Sylve appointed as Senior Environmental Scientist (Supervisory)

Welcome to Loretta Sylve, the newest member of the Unified Program family. Loretta joined the Unified Program on Wednesday, July 30, 2014 as the Senior Environmental Scientist (Supervisory) and will be responsible for supervising the Environmental Scientist and Program Technician 1, among many other responsibilities. Loretta comes back to our Unified Program after a few years at Cal Recycle overseeing the Local Enforcement Agencies training program. Prior to working for Cal Recycle Loretta worked in our office as a Staff Environmental Scientist and was instrumental in many elements of our program as it exists today, including the Title 27 regulations and various enforcement related projects. Loretta has also worked in enforcement programs for the Department of Toxic Substances Control and for the state Department of Justice.

Department of Toxic Substances Control - None

State Water Resources Control Board

\$1 Million Settlement with the City of Glendale for Alleged Underground Storage Tank (UST) Violations

The State Water Resources Control Board (State Water Board) has reached a \$1 million settlement with the city of Glendale for alleged violations of regulations concerning storage of hazardous substances in USTs at 11 facilities owned by the city.

This lawsuit is the first enforcement action by the State Water Board's Office of Enforcement under the State Water Board's Government Owned and/or Operated Tank (GOT) initiative that started in 2010 with the assistance of the US Environmental Protection Agency and the second enforcement action by the State Water Board against a public entity for UST violations. The GOT initiative aims to level the playing field with respect to compliance and enforcement between privately and publicly owned and operated USTs. Below are links to the Press Release, Judgment, and Complaint.

Press Release http://www.waterboards.ca.gov/press_room/press_releases/2014/pr072514_glendale.pdf

Judgment

http://www.waterboards.ca.gov/water_issues/programs/enforcement/docs/2014/glendale_judgment.pdf

Complaint

http://www.waterboards.ca.gov/water_issues/programs/enforcement/docs/2014/glendale_complaint.pdf

CA UST Enforcement Articles in EPA UST Newsletter

NEIWPCC has recently published the current *LUSTLine*, a nation-wide bulletin on USTs, dated June 2014. This report was distributed via Lyris on July 8, 2014 and is also available at the link below:

http://www.neiwppcc.org/lustline/lustline_pdf/lustline_current.pdf

On page 3 is an article on UST cleanup financial fraud written by Kim Sellards of the State Water Board entitled "The Consultant Who Played Foul with the California UST Cleanup Fund."

Also, on page 18 is an article on UST enforcement written by Ben McLernon and Mike Vizzier of San Diego County entitled "Repurposing Penalties to Improve UST Operations."

Revised Unified Program Guidance Letter 14-01

On July 7, 2014, CalEPA published the Unified Program Guidance Letter 14-01 (Revised) – Onsite Maintenance of Required Unified Program Information. The revised letter explains that maintaining required Unified Program information onsite also denotes the option of being readily accessed onsite through electronic means by facility staff and UST inspector.

The revised 14-01 letter was sent out via Lyrus on July 8, 2014 and is also available at <http://www.calepa.ca.gov/cupa/Bulletins/2014/July7.pdf>

For UST Program questions regarding this letter, contact Gabe Herrera at (916) 319-9128 or gabriel.herrera@waterboards.ca.gov. For all other Unified Program questions regarding this letter, contact John Paine at (916) 327-5092 or john.paine@calepa.ca.gov.

California Environmental Reporting System (CERS) Frequently Asked Questions (FAQs)

As a follow up to CalEPA's UP Guidance Letter 14-01, two new UST related FAQs were posted to the CERS Business Help section:

- **Are Hard Copies Required to be Kept Onsite?**
(This FAQ clarifies that hard copy UST permits must be kept onsite.)
- **Which UST Documents Require Uploading?**
(This FAQ also addresses which documents must be signed before they are uploaded to CERS. In addition, it clarifies that testing documents such as annual monitoring certifications and secondary containment tests are required to be uploaded into CERS.)

These FAQs were sent out via Lyrus on July 8, 2014 and are also available at the link below: <https://cersbusiness.calepa.ca.gov/Help>

For questions or concerns regarding the FAQs, contact Gabe Herrera at (916) 319-9128 or gabriel.herrera@waterboards.ca.gov, or Dan Firth at (916) 445-5049 or daniel.firth@calepa.ca.gov.

New Enhanced Vapor Recovery (EVR) Determination Letter

A new EVR determination letter, dated March 27, 2014, has been posted to the State Water Board's EVR Multi-Agency Review Process website below:

http://www.waterboards.ca.gov/water_issues/programs/ust/leak_prevention/docs/evr_determination/emco_wheaton032714.pdf

Reminder: Report 6 due September 1, 2014

Report 6 for the January-June 2014 reporting period must be completed and submitted to gherrera@waterboards.ca.gov by September 1, 2014. For any assistance completing Report 6, contact Gabe Herrera at (916) 319-9128 or at gherrera@waterboards.ca.gov.

California Office of Emergency Services - None

Cal Fire-Office of State Fire Marshal

Underground Fuel Storage Tanks Prohibited for Use as Aboveground Fuel Storage Tanks

The "[Underground Fuel Storage Tanks Prohibited for Use as Aboveground Fuel Storage Tanks](#)" Information Bulletin is now posted on the CAL FIRE – Office of the State Fire Marshal website. This bulletin informs and advises the public on the prohibited use of converted steel underground storage tanks as aboveground storage tanks storing flammable or combustible liquids. If you have questions, please contact Denise Gibson at denise.gibson@fire.ca.gov or (916) 445-8289.