



CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY



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Unified Program Newsletter October 2014

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California Environmental Protection Agency

CalEPA Unified Program Welcomes Loretta Sylve

Effective July 31, 2014, Loretta Sylve joined the Unified Program as a supervising Environmental Scientist. Loretta will fulfill the essential role in the management, harmonization and implementation of the many aspects of the Certified Unified Program Agency evaluation processes and procedures. Loretta has returned to CalEPA's Unified Program after working at Cal Recycle, where she was responsible for overseeing the Local Enforcement Agency training program.

Violation Library Error: ID # 3010 (General- Hazardous Waste Generator Administration/Documentation) active beyond June 30, 2014

CalEPA has corrected a minor error in the California Environmental Reporting System (CERS) violation library. It was intended for the initial citation text for violation ID# 3010 (General- Hazardous Waste Generator- Administration/Documentation) to expire June 30, 2014, however, it remained active until August 27, 2014, which was the last date the citation was used. The revised citation text for violation ID# 3010 remains effective as of July 1, 2014. CalEPA recommends that Unified Program Agencies use violation ID# 3010 with the start date of July 1, 2014 and end date of December 30, 2099 when reporting annual review/certification violations in CERS for inspections that occurred from July 1, 2014 through August 27, 2014.

Reporting the Aboveground Petroleum Storage Act (APSA) Surcharge on the Transmittal Report and Annual Single Fee Summary Report for FY 2014-2015

CalEPA is requesting that all Certified Unified Program Agencies report FY 2014-2015 APSA surcharge information as follows:

1. With each surcharge check remitted to CalEPA quarterly, indicate the total amount of APSA surcharge remitted during the reporting period on the Surcharge Transmittal Report (previously known as Report 1).
2. On the Single Fee Annual Summary Report (previously known as Report 2), please indicate the total amount of APSA surcharge billed, collected and remitted for FY 2014-2015.

This request is being made pursuant to California Code of Regulations, Title 27, Section 15290(d). CalEPA will officially be revising these reports to include applicable APSA surcharge reporting fields through the official rulemaking process.

CERS Version History: <http://cers.calepa.ca.gov/announcements/cers-version-history>

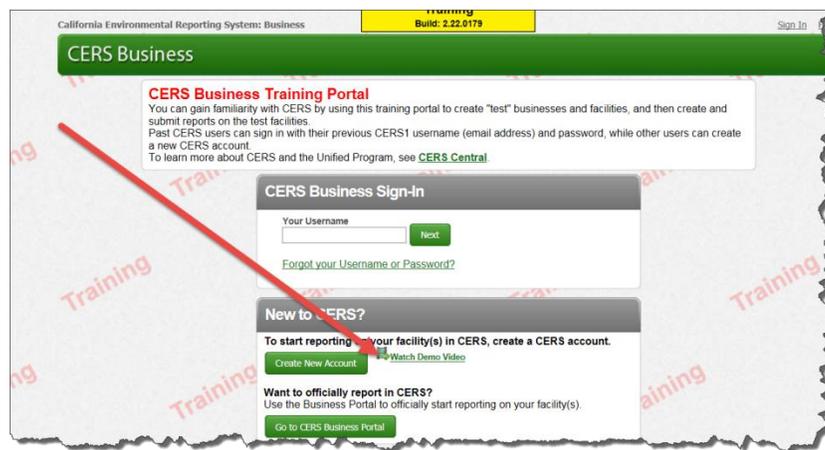
Upon release of each new version of CERS, a general summary of the most important and impactful features can be found at: <http://cers.calepa.ca.gov/announcements/cers-version-history>. Each CERS version release may include fixes or enhancements that likely impact business and/or regulator users, or non-significant changes necessary for the general maintenance of CERS.

CERS Tips and Tricks

CERS Tips and Tricks include helpful explanations and resolutions regarding current issues recently received by the CERS Technical Support Team. If you have questions or concerns, please contact the CERS Technical Support Team at cers@calepa.ca.gov.

Having trouble viewing the CERS training video in the Business Training Portal?

Check to ensure you have the most current version of Adobe Flashplayer (<http://get.adobe.com/flashplayer>).



Does the submitted PDF document appear blank in review after it is saved?

In the submittal element, if the saved PDF document appears blank in review, please check to ensure you have the current version of Adobe Reader (<http://get.adobe.com/reader>). An example of a submitted PDF document that has been saved, but appears blank in review, is shown below.

Look for other “CERS Tips and Tricks” in next month’s Unified Program Newsletter.

CORRECTION: CERS- Spill Prevention Control and Countermeasure (SPCC) Plans should not be uploaded

The September 2014 CalEPA Unified Program Newsletter incorrectly stated “...Once an SPCC Plan has been submitted or uploaded into CERS *and accepted by a CUPA*, the SPCC Plan cannot be removed from CERS...” The acceptance of a submittal does not affect whether a submittal can be deleted. By design and intent, once a submittal has been made to CERS it will remain in CERS and cannot be deleted.

REMINDER: 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 [CCR Title 27, Division 1, Subdivision 4, Section 15290(b)]. 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>).

Department of Toxic Substances Control

Hazardous Waste Tracking System (HWTS)

See attached document regarding HWTS.

State Water Resources Control Board

Chevron and State Water Board Reach \$1.66 Million Settlement on UST

The State Water Board has entered into a \$1.66 million settlement agreement with Chevron Corporation to resolve Chevron's alleged violation of regulations that prohibit companies from double billing for UST cleanup costs. Under the terms of the settlement agreement, Chevron will pay \$592,670 to the State Water Board and \$416,130 to the Attorney General's office. In addition, Chevron will pay \$252,200 to the third party plaintiff as its share of the award under the False Claims Act and \$400,000 for attorney fees and costs. A complete summary of the Press Release is posted on the website below.

http://www.waterboards.ca.gov/press_room/press_releases/2014/pr092514_chevron.pdf

Senate Bill No. 445 – Single-Walled Underground Storage Tank (UST) Permanent Closure Provisions

On September 25, 2014, the Governor signed Senate Bill No. 445 (SB445) authored by Senate Member Hill. SB445 is an urgency statute that takes effect immediately. The complete text of SB445 can be found at the website below.

http://leginfo.ca.gov/pub/13-14/bill/sen/sb_0401-0450/sb_445_bill_20140925_chaptered.pdf

A State Water Resources Control Board (Water Board) letter which summarizes the single-walled UST permanent closure provisions of SB445 is posted on the website below.

http://www.waterboards.ca.gov/water_issues/programs/ust/docs/sb445_notification_lf%209_26.pdf

The summary of the single-walled UST permanent closure provisions of SB445 includes the following:

- On or before December 31, 2025, the owner or operator of an UST shall permanently close the UST if it was designed and constructed before 1997 in accordance with paragraph (7) of section 25291(a) or if it was designed and constructed before 1984 and does not meet the requirements of section 25291(a)(1)-(6). Authority: California Health and Safety Code, section 25292.05(a).
- The State Water Board may adopt regulations to implement section 25292.05(a) at an earlier date if the UST poses a high threat to water quality or public health. Authority: California Health and Safety Code, section 25292.05(b).

As stated in letter, more information is forthcoming. Once the additional information is provided, and you still have questions regarding the single-walled UST permanent closure provisions of SB445, please contact Laura Fisher at (916) 341-5870 or Laura.Fisher@waterboards.ca.gov.

Senate Bill No. 445 – UST Cleanup Fund Program Changes, Etc.

SB445 also makes significant changes to the UST Cleanup Fund Program. Some of these changes include extending the UST Cleanup Fund to January 1, 2026, increasing maximum RUST grant amounts, and more. For more update regarding the overview of the changes to the UST Cleanup Fund program, visit the website below.

http://www.waterboards.ca.gov/water_issues/programs/ustcf/docs/fund_gto/fund_update_sb445.pdf

As stated in UST Cleanup Fund update, more information is forthcoming. Questions regarding the changes to the UST Cleanup Fund program shall be e-mailed to ustcleanupfund@waterboards.ca.gov with the subject line "SB 445".

California Environmental Reporting System (CERS) Goals for the UST Program

The State Water Board, in conjunction with the Federal Environmental Protection Agency (Region 9 Office) and California Environmental Protection Agency (CalEPA), has drafted a report intended for tracking progress towards meeting the three main goals on UST reporting into the CERS by the Unified Program Agencies (UPAs). The goals are as follows:

- Goal 1: Does CERS provide an accurate count of existing UST facilities, matching the most recent Report 6?

- Goal 2: Have agencies reviewed and verified information submitted to CERS, for every UST facility?
- Goal 3: Have agencies reported Compliance Monitoring & Enforcement (CME) data in CERS, for every UST facility?

The September 2014 CERS Status Report can be found at the website below. A new status report will be prepared on a quarterly basis.

http://www.waterboards.ca.gov/water_issues/programs/ust/cers/docs/cers_ust_status_report_0914.pdf

California Office of Emergency Services - None

CAL FIRE-Office of State Fire Marshal

Aboveground Petroleum Storage Act (APSA) Program Meetings

Group	Next Meeting Date
APSA Regulations Workgroup	October 2, 2014
Tanks in Underground Areas	October 23, 2014
APSA Advisory Committee	October 27, 2014

The APSA Advisory Committee meeting notices and minutes may be viewed at http://osfm.fire.ca.gov/advisorycommittees/advisorycommittees_apsa.php.

Spill Prevention, Control, and Countermeasure (SPCC) Plans in CERS

SPCC Plans are not required to be submitted into the California Environmental Reporting System (CERS). Therefore, SPCC Plans should not be submitted to CERS.