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UNIFIED PROGRAM NEWSLETTER FOR JULY 2016

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Violation Library Update

California Environmental Protection Agency (CalEPA) has corrected some additional errors in the California Environmental Reporting System (CERS) Unified Program Violation Library since the library was published in CERS on May 30, 2016. The corrections were published in CERS on June 24, 2016. A spreadsheet depicting the violations requiring correction and an updated clean copy of the entire 2016 violation library will be distributed to the Certified Unified Program Agency (CUPA) in early July. CUPA Forum is currently updating the standard inspection checklists to incorporate the violation revisions.

The next violation library amendment process for 2017 will begin in November 2016. Please contact Kareem Taylor at (916) 327-9557 or email kareem.taylor@calepa.ca.gov, if you have any questions or concerns.

Proposed Underground Storage Tank Surcharge Increase

After review and evaluation, CalEPA is proposing an increase of the State Water Resources Control Board's Underground Storage Tank (UST) surcharge in fiscal year 2016-17 from \$15 per tank to \$20 per tank to fully cover the cost of program implementation. The proposed amendments to the surcharge fee will be noticed pursuant to Section 15240 of Title 27, California Code of Regulations, and will include an initial public notice, a 30-day public comment period and a final public notice.

It is anticipated that the timing of public notice and comment period will result in an adoption of the new UST surcharge that will become effective August 1, 2016. CUPAs are required to begin assessing the surcharge, no later than, 60-days after the effective date of the amended surcharge, which is anticipated to be October 1, 2016. Therefore, for all single fee invoices dated on or after October 1, 2016 and that include the UST surcharge, CUPAs will be required to assess the amended surcharge. CalEPA will provide more details on the actual effective date of the new UST surcharge after the initial public notice is published.

CalEPA is proposing amendments to Unified Program regulations contained in Title 27. Many of the proposed amendments are non-substantial changes, such as grammar and syntax. Substantial amendments proposed include:

- Data Dictionary edits (subdivision 3)
- Reporting Trade Secrets in CERS
- Surcharge Transmittal and Annual Single Fee Summary Reports

CalEPA Unified Program is holding four informal workshops throughout California to share and discuss the proposed amendments to the Unified Program regulations contained in Title 27 of the California Code of Regulations.

<p><u>Workshop #1 – Bay Region</u></p> <p>Date: Monday, July 18, 2016 Time: 10:00 a.m. to 12:00 p.m. Location: Contra Costa County Board Chambers 651 Pine Street, Room 107 Martinez, California 94553 Map</p>	<p><u>Workshop #2 – Central Region</u></p> <p>Date: Wednesday, July 20, 2016 Time: 1:30 to 3:30 p.m. Location: Tulare County Ag Commissioner 4437 South Laspina Street Tulare, California 93274 Map</p>
<p><u>Workshop #3 – Southern Region</u></p> <p>Date: Friday, July 22, 2016 Time: 10:00 to 11:30 a.m. Location: Angelo M. Iacoboni Library 4990 Clark Avenue Lakewood, California 90712 Map</p>	<p><u>Workshop #4 – Northern Region</u></p> <p>Date: Monday, July 25, 2016 Time: 10:00 a.m. to 12:00 p.m. Location: Butte County Employment Center Andes Room 78 Table Mountain Boulevard Oroville, CA 95965 Map</p>

CERS Tips and Tricks

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

Should a Regulated Facility's CERS ID be changed?

Answer: No

The CERS ID, once issued (stays with the dirt), should remain with the facility regardless of owner or operator changes or changes of the business or facility name. A new CERS ID number should be assigned to a regulated facility only when the facility physically moves to a different location. (Often, in the case of a physical relocation, the new location may already have an existing CERS ID. So the business that relocates should be assigned that existing CERS ID.) California Code of Regulations Title 27 Division 3, Subdivision 1, Data Dictionary for Regulated Activities describes the CERS ID number as a 'CalEPA assigned, 8 or 9 digit ID to uniquely identify a facility in CERS. ***The CERS ID should remain unchanged across different owners/operators of a facility.***

Similarly, if the facility address is changed, but its physical location does not; CERS ID should remain unchanged. For example, CERS ID would not be changed because a local jurisdiction renames a street or renumbers the street addresses. Since the physical location of the facility has not changed, CERS ID should not be changed.

In plain language, CERS ID should 'stay with the dirt', similar to an APN number. A new CERS ID should be assigned for new facilities where there was no previous facility regulated in CERS, when a regulated business at one address **physically moves** to another address, or when an existing facility subdivides into more than one regulated facility. The newly created regulated facilities would be assigned new CERS ID numbers.

This use of CERS ID number ensures that all records in CERS pertaining to a specific location are always associated with the same CERS ID, thereby making all facility information retrieval fast and efficient. If a new CERS ID were assigned each time a facility name or owner changed, very quickly there would be many facilities in CERS with have multiple CERS ID numbers.

State Water Resources Control Board

Significant Operational Compliance (Report 6) due September 1, 2016

The January – June 2016 reporting period is over and the State Water Board has distributed the Report 6 form and instructions. All CUPAs and PAs must submit Report 6 data to the State Water Board in a timely manner, but no later than September 1, 2016. Except for a small number of agencies that have been approved for paperless reporting, the "paper" Report 6 is required to be submitted. Those CUPAs or PAs that have been approved for paperless reporting must still run reports in CERS to verify their data and submit a certification form to the State Water Board by the September 1, 2016 deadline. To request paperless reporting for the next reporting period, see the "Underground Storage Tank Report 6 Paperless Reporting Requirements" document found at http://waterboards.ca.gov/water_issues/programs/ust/adm_notices/soc_paperless.pdf.

Jessica Botsford is the new contact for Report 6. Please contact Jessica at Jessica.botsford@waterboards.ca.gov or (916) 341-7338, if you have any questions with the Report 6 form or paperless reporting.

New and Updated CERS FAQs Posted

Two new CERS FAQs have been posted and one existing FAQ has been revised.

"Determining Unified Program Element Regulated Facility Count" has been posted for Regulator Users. The FAQ explains how to determine the number of regulated facilities by the Unified Program Element by using the appropriate search criteria.

"Assigning Existing USTs to a New Facility" was posted for Regulator Users to provide guidance to a business that takes over an existing UST facility or tank, particularly relating to changing tank ID numbers. With very few exceptions, tank ID numbers should not change when an existing UST facility is transferred to another business because the CERS ID does not change.

"Citations for Failure to Report UP Information" originally posted for Regulator Users has been updated to refer the reader to the violation library because of recent changes to the library. This FAQ clarifies that UPAs should cite "Reporting" violations based on each applicable program element requirement for reporting information. Reporting violations are not electronic reporting or CERS reporting related violations, but rather violations of the requirements established for each program element to report information. Electronic reporting is the required method for reporting Unified Program information, not the impetus for reporting such information.

The link to FAQs can be found on CERS website at <https://cersregulator.calepa.ca.gov/Help> and the State Water Board's website at <http://waterboards.ca.gov/ust/cers/faqs.shtml>.

For more information, please contact Dan Firth at Daniel.firth@calepa.ca.gov.

State Water Resources Control Board CUPA Evaluations

The State Water Resources Control Board (State Water Board) continues progress with CUPA evaluations using the new remote evaluation model. To date, using this model, six (6) evaluations have been completed and are available for review on CalEPA's Unified Program Regulator Directory at <http://cersapps.calepa.ca.gov/Public/Directory/CUPAEvaluationDocuments/>

The remote evaluation model allows State Water Board evaluators, and evaluators from other State agencies, to perform evaluations remotely with focused meetings with the CUPA by web and telephone conference. State Water Board continues oversight visits with CUPAs during the evaluation and offers hands-on training using CERS to identify missing, inaccurate or incomplete information in CERS.

For more information regarding State Water Board CUPA evaluations, please contact Sean Farrow at sean.farrow@waterboards.ca.gov / (916) 324-7493 or Lisa Jensen at lisa.jensen@waterboards.ca.gov / (916) 319-0742.

CAL FIRE - Office of the State Fire Marshal

Aboveground Petroleum Storage Act (APSA) Program Meeting

Group	Next Meeting Date
APSA Advisory Committee	July 13, 2016
APSA Technical Advisory Group (TAG)	TBD

The APSA Advisory Committee meeting agenda and minutes (including draft regulations) may be found on the website at http://osfm.fire.ca.gov/advisorycommittees/advisorycommittees_apsa.

If you are interested in participating in the APSA TAG, please contact Jim Whittle of Shasta County CUPA at jwhittle@co.shasta.ca.us.

Tank Facility Statement

An APSA Tank Facility Statement has been developed and is now available on the OSFM APSA website at: <http://osfm.fire.ca.gov/cupa/apsa>. Additionally, a link to the Tank Facility Statement will be provided in the instructions for the APSA upload documentation site in CERS.

State Fire Marshal

Chief Tonya Hoover is retiring. Her last day is July 15, 2016.

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

SPCC Plans are not required to be submitted in CERS and, therefore, should not be submitted to CERS. For more information, you may read the frequently asked questions (FAQ) document "Should I file an SPCC Plan in CERS?" at: <https://cersbusiness.calepa.ca.gov/Help>.

California Fire Code

The 2016 California Fire Code, which is based on the 2015 International Fire Code with California amendments, has been adopted and will become effective January 1, 2017. There are no changes to the hazardous materials management plan and inventory statement requirements.

To view the building standards code proposals, including the fire code, that have been approved for inclusion in the 2016 California Building Standards Code, Title 24, California Code of Regulations, visit the California Building Standards Commission website at <http://www.bsc.ca.gov/codes.aspx>.