



Edmund G. Brown Jr.
Governor

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Unified Program Newsletter February 2015

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California Environmental Protection Agency

CERS Emergency Responder Module Released

The Emergency Responder feature has been released. Please review the feature in the 'Responder' tab of the Regulator portal. This feature allows first responders to search for a site or sites by address or facility name, or a portion of either, or by a City, Zip Code or CERS ID. The results display facility emergency contact information, a summary of hazardous materials by DOT hazard class and the site map. If you have comments or questions regarding this feature contact Dan Firth at daniel.firth@calepa.ca.gov.

CERS FAQ

CalEPA has posted a new FAQ for Regulators, 'Setting Accepted Submittal Status' at <https://cersregulator.calepa.ca.gov/Help>. This FAQ provides guidance regarding accepting submittals by completeness review or as a result of a field inspection.

Department of Toxic Substances Control

Governor Brown Appointee

Governor Brown has appointed Elise Rothschild as DTSC's Deputy Director for the Hazardous Waste Management Program (HWMP).

Ms. Rothschild comes to DTSC from the Sacramento County Environmental Management Department, where she served the past four years as the Division Chief of Environmental Compliance. She held various positions with increasing responsibilities since joining the County's Environmental Management Department in 1987.

She brings a strong environmental regulatory background to HWMP. She oversaw Sacramento County's CUPA program and enforcement, hazardous waste incident response, recycling, site cleanup and several other key functions that mirror the work at DTSC. In addition, she managed 60 staff members and a \$10 million budget, in a program that implements federal, state, and local regulations and statutes. She is past chair of the California State CUPA Forum Board, and past president of the California Hazardous Materials Investigator's Association. Ms. Rothschild is a graduate of UC Davis with a degree in Environmental Policy Analysis, and is a Registered Environmental Health Specialist.

State Water Resources Control Board

When to Review UST Records

The State Water Board has issued a letter dated January 29, 2015 regarding when UST records (submitted via the California Environmental Reporting Systems (CERS) or other method) should be reviewed by the Unified Program Agency (UPA). Health and Safety Code, section 25288(a) requires all facility information to be reviewed for completeness and accuracy during the annual inspection. Therefore, the deadline for reviewing UST records is the same as the annual inspection date and should not exceed one year.

However, reviewing records only during the annual inspection may allow violations to persist, which then poses a threat to water quality. Also, statute and regulations require facilities to submit certain information in a timely manner with the assumption that it will be reviewed and acted on within a reasonable time frame by the UPA. For these reasons, the State Water Board expects UST records to be reviewed for completeness and accuracy, though not necessarily field verified, as soon as possible, but no later than 30 days after the submittal is due.

This letter will be posted on the State Water Board UST Program website Technical Notifications webpage, http://www.waterboards.ca.gov/water_issues/programs/ust/tech_notices.shtml.

See the CERS FAQs "Setting Accepted Submittal Status" and "When Can a UST Operating Permit be Issued" for more guidance on reviewing and responding to UST submittals.

New CERS FAQ – Common CERS Reporting Errors

A new FAQ regarding the most common CERS reporting errors that CUPAs and PAs see in Business submittals to CERS has been posted in the Business General Help Section of CERS, <https://cersbusiness.calepa.ca.gov/Help>. The most common CERS reporting errors are as follows:

1. Facility Submittal Element
 - a. Partial submittals of only the facility information.
2. Hazardous Materials Inventory Submittal Element
 - a. Incorrect Chemical and/or Common Name.
 - b. Incorrect selection for the "hazardous materials type" data field.
3. Incorrect information reported for "maximum daily amount" field.
4. Facility marks a "no" for the first business activities form question regarding hazardous materials storage and then they are unable to submit inventory including hazardous wastes.
5. Duplicate documents in same submittal (old and revised version of same form submitted).
6. Facility creates a new duplicate facility in CERS.
7. Business site address incorrect and/or business owner information is incorrect.
8. Documents put in the wrong location. "Locally collected information" seems to be a used incorrectly.

Avoiding these types of errors when submitting to CERS or a local reporting portal will help increase the likelihood that a submittal will be accepted by your local agency, saving time and effort. This FAQ may be updated as the State Water Board receives additional feedback. See the posted FAQ for more information.

New CERS FAQ – When to Issue a UST Operating Permit

A new FAQ regarding the issuance of a UST operating permit to a facility that has not submitted electronically, or a facility that has submitted but the submittal is not accepted, has been posted in the Regulator General Help Section of CERS, <https://cersregulator.calepa.ca.gov/Help>. If a facility has not submitted the required information electronically through CERS or a local portal, then the UPA cannot issue that facility an operating permit. If a facility has submitted the required information electronically, but the submittal is marginally deficient, then the UPA has the ability to do one of the following:

1. Choose to 'not accept' the submittal and issue the operating permit
2. Choose to 'not accept' the submittal and NOT issue the permit
3. Choose to 'accept' with conditions that a resubmittal be made and issue the operating permit

New CERS FAQ – Setting Accepted Submittal Status

A new FAQ regarding what criteria should be considered for accepting submittal and how to report a completeness review versus site inspection verification has been posted in the Regulator General Help Section of CERS, <https://cersregulator.calepa.ca.gov/Help>. In CERS 2 the submittal status 'accepted' is used to include either a completeness review that is performed in the office by an inspector or other staff member that may have limited or no direct familiarity with the facility, OR a review that is based on an inspection at the facility to validate the information reported is consistent with the observations by the inspector. Because of this current limitation the comment field should be used to clarify the type of acceptance and to indicate if there are conditions associated with the acceptance. See the posted FAQ for more information.

Recent International Code Council (ICC) Changes

ICC is now issuing new membership wallet cards that can be used to demonstrate a card owner's membership and certifications. The new card includes a web address and a QR code that go directly to an individualized web page listing the owner's certifications, expiration dates, and membership status.

ICC has also introduced obtaining continuing educational units (CEUs) through their ICC Preferred Providers program and renewing online. Please note that this does not apply to the California ICC Inspector (UI) certification, which is the only UST ICC certification that can be renewed in California (all others have to be retested for). Paper applications shall continue to be used for renewing the California UST Inspector certification and methods of accruing CEUs shall continue to meet the requirements outlined in the guidance document, Implementation of Continuing Education Contact Hours for Renewal of California UST Inspector ICC Certification (revised on July 30, 2007 and can be found at http://www.waterboards.ca.gov/ust/forms/docs/icc_ust_renewal_08292007.pdf).

For more information on UST ICC certifications in California, visit the following websites;

http://www.waterboards.ca.gov/water_issues/programs/ust/training/icc_cert_info.shtml

http://www.iccsafe.org/Certification/Bulletins/UST-AST_EIB.pdf

California Office of Emergency Services

New Employee

Cal OES would like everyone to welcome Alexis Elliott to our Hazmat Section as an Environmental Scientist. Alexis served in the United States Army as a motor transport specialist with the 82nd Airborne Division and has served a tour in Iraq. Alexis earned a BS in environmental sciences in June 2014 and is new to state service.

CAL FIRE - Office of State Fire Marshal - None