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California Environmental Protection Agency

CERS FAQ

A new FAQ entitled [Can a Submittal relate to Construction Permitting](#) has been posted to the CERS Help/Training section.

Department of Toxic Substances Control

Financial Assurance and Inflation Factor (CCR, T22, 67450.13)

Financial assurance (FA) is required for tier permitting facilities that are under the permit by rule (PBR) and conditional authorization (CA) tiers. Closure cost estimates are required as part of the closure plans under PBR and CA. PBR and CA facilities are required to adjust their closure cost estimates for inflation by March 1st of every year.

Inflation adjustments should be made as follows: Inflation changes in a closure plan's closure cost estimate and a facility's financial assurance mechanism should be made using the U.S. Department of Commerce, Bureau of Economic Analysis (BEA).

The adjusted cost = current cost estimate x inflation factor.

How do you calculate the inflation factor?

Since the inflation factor for the full 2014 year does not come out until the end of March 2015, DTSC recommends you use the third quarter number of the past two years to get the inflation factor.

1. First select the tab from the following website <http://www.bea.gov/iTable/iTable.cfm?ReqID=9&step=1>
SECTION 1 - DOMESTIC PRODUCT AND INCOME

2. Next select the tab:

Table 1.1.9. Implicit Price Deflators for Gross Domestic Product (A) (Q)

3. Use the 3rd quarter numbers from the Table 1.1.9, line 27 (gross national product). The 3rd quarter number for 2014 is 108.722 divided by the 3rd quarter number for 2012 which is 107.044.

Inflation factor for 2015 = $108.722/107.044 = 1.016$

Therefore, for facilities that must use the inflation factor before the end of March, use the 3rd quarter numbers. For all other facilities, use the annual number that comes out in early April.

Contact: Asha Arora at (510) 540-3874

Counting Hazardous Waste

DTSC has a new webpage on counting hazardous waste to determine generator status. Please refer to this link for additional information: <http://www.dtsc.ca.gov/hazardouswaste/countinghw.cfm>

Quarterly Public Meeting

DTSC's [Quarterly Public Meeting](#) will be held on Friday, April 17, 2015, at 9 a.m. in the Coastal Hearing Room at the Cal/EPA building, 1001 I Street, Second Floor, Sacramento, California. Details and an agenda will be posted shortly.

State Water Resources Control Board

Remanufactured Leak Detection Equipment

It has come to the attention of State Water Resources Control Board (State Water Board) staff that remanufactured underground storage tank (UST) leak detection equipment is being offered to California UST owners/operators. California compliant leak detection equipment must be third-party tested, the third part testing must be evaluated by the National Work Group on Leak Detection Evaluations (NWGLDE), and it must be listed by the State Water Board in Local Guidance Letter 113 (LG 113). Remanufactured equipment may not be identical to the original manufactured equipment. NWGLDE states in their disclaimer that subsequent modifications or changes to the equipment may produce parameters and data values that are significantly different than the listed third-party evaluation parameters and data values. Use of remanufactured leak detection equipment that is not listed in LG 113 could result in the owner/operator of the tank system being in violation and subject to a fine of \$500 to \$5000 per day per violation. If you have questions regarding this update, contact Laura Fisher at laura.fisher@waterboards.ca.gov or (916) 341-5870.

Designated Operator Monthly Inspection Form

The designated operator (DO) inspection form is not a form required by regulation. The form was developed as a courtesy to aide in DO monthly inspections. California Code of Regulations, section 2715(c) requires the DO to make monthly site inspections. During these inspections the DO must document the results of each inspection in a monthly inspection report. The DO is required to provide the owner/operator with a copy of the inspection report to alert the owner operator of any conditions that requires follow-up action. Therefore, if the inspection report includes the dates of any required testing, describes action taken in response to any alarm, and alerts the owner operator of any conditions that requires follow up action, then the requirement to document the inspection is met. If you have questions regarding this update, contact Cory Hootman at cory.hootman@waterboards.ca.gov or (916) 341-5668.

CERS 3 UST Subcommittee

State Water Board staff is working with Cal/EPA, CUPA representatives, and industry representatives on the upcoming California Environmental Reporting System (CERS) revisions, commonly referred to as CERS 3. CERS 3 is expected to be operational in 2017. Since Cal/EPA is on a strict deadline to implement proposed upgrades, focused working groups have been created to address various parts of CERS. The CERS 3 UST Subcommittee consists of State Water Board staff, members of the UST steering committee, other CUPA representatives, and an industry representative. The list of proposed

enhancements can be viewed at <https://cersbusiness.calepa.ca.gov/Enhancement>. For questions regarding this update, contact Gabriel Herrera at gabriel.hererra@waterboards.ca.gov or (916) 319-9128.

California Office of Emergency Services

Title 19 Release Reporting Regulations Public Workshops

Senate Bill 1261 (Jackson, 2014) requires the Governor's Office of Emergency Services (Cal OES) to have hazmat release reporting regulations in place by January 1, 2016. As part of that effort, staff of the Hazardous Materials Section, Fire and Rescue Division of Cal OES is holding a series of public workshops in March and April, 2015, to solicit input from industry, local and state regulators and fire services, and any other interested persons, as to how best structure these regulations to offer the highest level of protection to human health and safety, the environment, and property in the state of California.

The workshops are scheduled as follows:

March 17 – South Coast Air Quality Management District
21865 Copley Drive
Diamond Bar, California 91765-4182

April 9 – Butte Community Employment Center (Andes Room)
78 Table Mountain Drive
Oroville, California 95969

April 14 – Tulare County Agricultural Commissioner
4437 S. LaSpina Street
Tulare, California 93274-9537

April 21 – Santa Clara County Environmental Health Department
1555 Berger Drive
San Jose, California 95112-2716

Anyone with an interest in release reporting is encouraged to attend one of the regional workshops, and to participate in the discussion.

Those unable to attend one of the workshops are encouraged to offer comments via email to Jack.Harrah@calOES.ca.gov, with "Release Reporting Comments" in the subject line.

CAL FIRE - Office of State Fire Marshal

Aboveground Petroleum Storage Act (APSA) Program Meetings

Group	Next Meeting Date
APSA Regulations Workgroup	TBA
Tanks in Underground Areas	March 20, 2015
APSA Advisory Committee	TBA

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

CAL FIRE – Office of the State Fire Marshal published an [addendum](#) to the Information Bulletin (IB) 14-005 on the prohibited use of underground storage tanks as aboveground storage tanks. The information relating to these tanks, as well as the [IB 14-005](#), can be found on the Office of the State Fire Marshal's website at <http://osfm.fire.ca.gov/informationbulletin/informationbulletin.php>.

Questions or comments regarding this Information Bulletin and addendum should be directed to Denise Gibson, Senior Environmental Scientist, Code Development and Analysis Division at (916) 445-8289 or denise.gibson@fire.ca.gov.