

**Unified Program Newsletter
September 2015**

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Training: Introduction to Environmental Crimes Enforcement, October 27-29, 2015 (Register by September 25, 2015)

“Introduction to Environmental Crimes Enforcement” is a 3-day course sponsored by the Western States Project. It is a basic environmental investigation course that will leave participants with an understanding and working knowledge of the process and requirements for successful environmental crimes investigations and enforcement within the regulatory system. The class will demonstrate how environmental crimes enforcement can be used as an effective tool, supplementing administrative and civil enforcement. Criminal investigators and regulatory personnel working in support of criminal environmental cases are encouraged to attend.

The training is scheduled for October 27-29, 2015, and will be held in Sacramento, California. Registration must be completed by September 25, 2015. The fee is \$300.00. Additional information is available at:

www.calepa.ca.gov/Enforcement/Training/documents/2015/WSPIntroOct.pdf

Local Reporting Requirements Require Local Ordinance Authority and Notification to CalEPA

A recent survey of CUPAs and PAs by a large business with facilities in all jurisdictions revealed that some CUPAs and PAs appear to have local reporting requirements that may be difficult to enforce because there is insufficient local code authority and/or CalEPA has not been advised of the local requirement. Under state law, CUPAs and PAs have authority to require additional or more stringent local reporting requirements *provided they are specified in an adopted local code or ordinance*.

Further, because many large national and international corporations rely on CalEPA and the CERS

website to alert them of local reporting requirements, CalEPA has requested that all CUPAs and PAs with local reporting requirements provide those requirements and the associated code/ordinance authority to CalEPA. CalEPA has published this information on the CERS website. Failure to advise CalEPA of a local reporting requirement makes it very difficult for businesses with many facilities in different jurisdictions to comply and may delay or otherwise affect the authority of a CUPA or PA to enforce local requirements against a business that reports to CERS.

CalEPA requests CUPAs and PAs with local reporting requirements to review the 'Local Reporting Requirements' table published on the CERS website (<https://cersbusiness.calepa.ca.gov/Reports/RegulatorLocalRequirements>) and provide CalEPA with recommended additions or changes. For further information or to submit local reporting requirements contact Dan Firth at Daniel.firth@calepa.ca.gov.

Reminder: Annual Single Fee Summary Report (Report 2) for Fiscal Year 2014-2015 due September 30, 2015

Pursuant to California Code of Regulations, Title 27, Division 1, Subdivision 4, §15290(a), CUPAs must prepare the Annual Single Fee Summary Report (Report 2) for the previous fiscal year and submit it to CalEPA *no later than September 30, 2015*. Report 2 includes: the amount of the single fee billed and collected; the amount of any funds due to Participating Agencies and the amount transmitted; the amount of surcharge billed, waived and collected for each program (including the surcharge for the Aboveground Petroleum Storage Act Program); and a count of total regulated businesses, Underground Storage Tank (UST) facilities, USTs, onsite hazardous waste treatment facilities (including Permit by Rule, Conditionally Authorized and Exempt), California Accidental Release Prevention (CalARP) Program stationary sources and waivers granted, businesses subject to the CalARP Program and the total Aboveground Storage Tank regulated facilities.

Information contained within Report 2 is essential to adequately assess the implementation and fee accountability of the Unified Program for each CUPA as well as to convey the statewide success and accomplishments of California's Unified Program to the United States Environmental Protection Agency, California legislature and other interested persons.

The existing template adopted in Title 27, §15680, Appendix B, does not allow for the allocation of the applicable \$26.00 facility surcharge for the Aboveground Petroleum Storage Act (APSA), which became effective fiscal year 2014-2015. CalEPA will initiate the required rulemaking process later this year to remove the template from regulation. Until the template is removed from regulation, CalEPA has developed and is providing CUPAs with a draft template, available at: <http://www.calepa.ca.gov/CUPA/Publications> under the heading "Required Summary Reporting Forms and Instructions for 'CUPA-to-State' Reporting." CUPAs are encouraged, but not required, to use the draft template provided. If a CUPA does not wish to use the draft template, the APSA surcharge amounts assessed, collected and remitted must be documented on Report 2.

Please remit Report 2 for Fiscal Year 2014-2015 to CalEPA by September 30, 2015 via:

Mail:
The Unified Program
California Environmental Protection Agency
P.O. Box 2815
Sacramento, California 95812

OR **Email:**
cupa@calepa.ca.gov
Subject: Report 2- Fiscal Year 14-15

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, §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

As of August 1, 2014, CUPAs are 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).

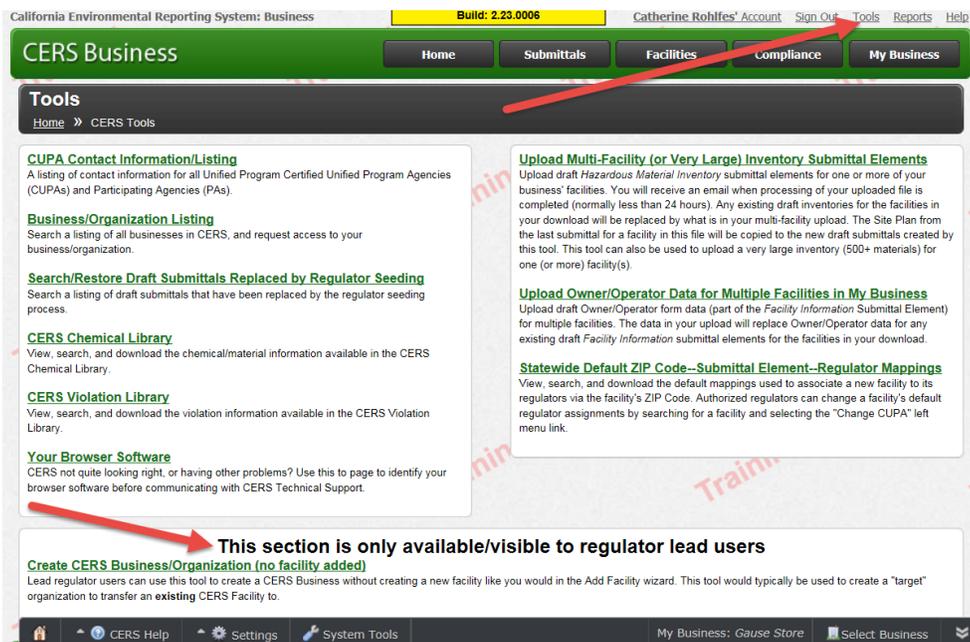
For more information, please refer to Unified Program Guidance Letter 14-02 (<http://www.calepa.ca.gov/CUPA/Bulletins/2014/Jan17.pdf>).

CERS Tips and Tricks

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

How to Activate An Inactive Facility: To activate an inactive facility, the inactive facility must be transferred to a Business Organization. If the Business Organization does not already exist, a new Business Organization must be created to activate the inactive facility. This process must be completed by a CERS Regulator Lead User and requires the use of the Business and Regulator Portals. Here's how:

1. From the CERS Business Portal "Home" page, the Regulator Lead User selects the "Tools" link, located in the upper right-hand corner of each page.



2. Select the “Create CERS Business/Organization (no facility added)” link.
Note: This link will only be visible to Regulator Lead Users.
3. Enter the Business Organization name, city/state of the business’ headquarters. Ensure the “Origin” field displays “CUPA” and the “My Regulator” field displays the correct regulatory agency. These fields should already be set by default.

CERS Business

Home Submittals Facilities Compliance My Business

Create CERS Business

Home > Regulator Create CERS Business/Organization

Instructions/Help

Regulator Lead Users can use this form (instead of the new facility wizard) to create a new CERS Organization **without** creating a new facility at the same time. This would typically be useful when an existing CERS Facility needs to be transferred from a past owner/operator to a new owner/operator that does not yet exist in CERS. When the new CERS Business is created, the regulator lead user will be added as the first lead user for the business. The regulator should add/invite the new owner/operator people as CERS users, and then the regulator should be removed or downgraded to a lesser role for the newly added business.

Create CERS Business/Organization

New Business Details

Organization Name

Headquarters

Origin
CUPA

My Regulator
Alameda County Environmental Health

Cancel Save

Version 2.23.0006 | Enhancements | CERS Central

Diagnostics | Conditions of Use | Privacy Policy | Contact | Help

4. Select the “Save” button.
5. Select the “People” link from the menu on the left-hand side of the “Business Summary” page.
6. Select the “Add Person” button from the “People” section.

California Environmental Reporting System: Business

Build: 2.23.0006

Catherine Rohlfes' Account Sign Out Tools Reports Help

CERS Business

Home Submittals Facilities Compliance My Business

My Business: Gause Store

Home > My Business > People

Summary

People

Action Required

Notifications

Email History

Regulators

Manage Facilities

Archive

People

Show All People All Roles Export To Excel

	First Name	Last Name	Email	Title	Account Status
Select	Cathie	Rohlfes	C.Gause@calcpa.ca.gov		Username: cgause35 Permissions Last sign-in: May 12 8:55 AM
Select	Catherine	Rohlfes	catherine.rohlfes@calcpa.ca.gov		Username: CRohlfes35 Permissions: Lead Users Last sign-in: Aug 27 10:10 AM

Add Person

Version 2.23.0006 | Enhancements | CERS Central

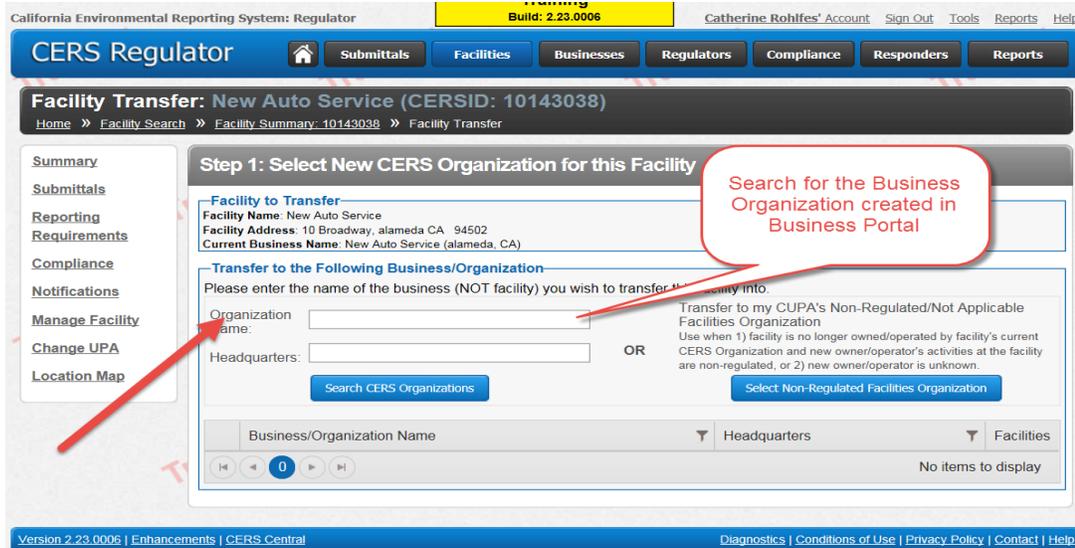
Diagnostics | Conditions of Use | Privacy Policy | Contact | Help

7. Enter the e-mail address, phone number and title of the business user that is being added to the facility and select “Continue.”
8. Under the “Permission Group” column, select the checkbox next to the applicable options.
9. Select the “Save” button to add the new user to the Business Organization, with the selected permissions

10. From the CERS Regulator Portal “Home” page, the Regulator Lead User must select the inactive facility that needs to be activated.
11. Select the “Manage Facility” link from the menu on the left-hand side of the “Facility Summary” page. This will allow the inactive facility to be transferred into the Business Organization.



12. Select “Transfer Facility to Another Business.”
13. Search “CERS Organizations” or enter the Business Organization the inactive facility will be moved under.



14. Though it is not a requirement, the Regulator Lead User should enter “Comments” to note why the inactive facility is being transferred in order to become active again.
15. Select the check box next to the statement: “Transfer Past Submittals (and any current drafts) to New Business Organization.”
16. Select “Confirm.”

California Environmental Reporting System: Regulator Build: 2.23.0006 Catherine Rohlfes' Account Sign Out Tools Reports Help

CERS Regulator Submittals Facilities Businesses Regulators Compliance Responders Reports

Confirm Facility Transfer: New Auto Service
Home » Facility Search » Facility Summary: 10143038 » Facility Transfer

Confirm Transfer: New Auto Service

Confirm Facility Transfer details

Source Business/Organization New Auto Service	Target Business/Organization Help desk
--	---

Facility to be Transferred
New Auto Service
10 Broadway alameda 94502

Regulator Approving Facility Transfer
-- Please Select --

Comments

Transfer Past Submittals (and any current drafts) to New Business/Organization: 4
submittal elements were previously submitted (or currently drafted) for this facility. Check this box only if you wish these past submittals to be transferred to the new Business/Organization. Normally a facility's past submittals should remain associated with the business (facility owner/operator) who submitted the reports.

Confirm Cancel

State Water Resources Control Board

Notification of Revised Federal UST Regulations to UST Owners and Operators

The United States Environmental Protection Agency has recently made revisions to the federal underground storage tank (UST) regulations published in the Federal Register below.

<http://www.gpo.gov/fdsys/pkg/FR-2015-07-15/pdf/2015-15914.pdf>

On August 20, 2015, the State Water Resources Control Board (State Water Board) issued a letter to UST owners and operators notifying them that they must comply with these new federal UST regulations in addition to California UST statutes and regulations. A copy of the letter is posted at the website below.

http://www.waterboards.ca.gov/ust/adm_notices/fed_regs_comp_deadline.pdf

Enclosed with the letter are tables to assist UST owners and operators in determining which of the new requirements in the federal UST regulations will affect USTs operated in the State of California. The tables contain compliance deadlines and a general description of each of the new federal UST regulations that are more stringent than current California UST statutes and regulations. The State Water Board will provide more detailed guidance on how to meet the new federal UST requirements in the near future. For questions regarding the letter or the tables, contact Mrs. Laura Fisher at laura.fisher@waterboards.ca.gov or (916) 341-5870 or Mr. Cory Hootman at cory.hootman@waterboards.ca.gov or (916) 341-5668.

CAL FIRE - Office of State Fire Marshal

APSA Tank facility statements uploaded in CERS

Pursuant to Health and Safety Code Chapter 6.67, Section 25270.6, a tank facility owner or operator shall file a tank facility statement. However, if the tank facility owner or operator is in compliance with the business plan program, the accepted business plan satisfies the tank facility statement requirement. There are a few tank facilities that are not required to file the business plan and may therefore be required to file the tank facility statement, for example, federal facilities or residential facilities.

Section 25270.6 (a)(1) requires the location of each aboveground petroleum storage tank exceeding 10,000 gallons in capacity be provided as part of the tank facility statement. Consistent with the intent of Health and Safety Code Chapter 6.95 section 25509(b) of the Hazardous Materials Release Response Plans and Inventory program, UPAs and CalEPA should ensure that site maps or descriptions that provide the precise location of petroleum storage should not be made available to the public.

Farms and the Federal Water Resources Reform and Development Act

The United States Environmental Protection Agency (US EPA) has completed and published the study required under the Water Resources Reform and Development Act (WRRDA) to determine the aggregate aboveground oil storage capacity threshold for farms subject to the federal Spill Prevention, Control, and Countermeasure (SPCC) rule. The study determined the threshold for minimum oil storage at a farm subject to the federal SPCC rule to be 2,500 gallons. However, until the federal SPCC rule is amended to incorporate the findings of the study, the threshold provided in WRRDA remains effective.

A factsheet on WRRDA can be found on US EPA's website at <http://www2.epa.gov/oil-spills-prevention-and-preparedness-regulations/farms-fact-sheet-explaining-impact-water>. Questions regarding the WRRDA fact sheet should be referred to the "For More Information" section of the fact sheet.

The US EPA study on farms may be found on US EPA's website at <http://www2.epa.gov/oil-spills-prevention-and-preparedness-regulations/oil-storage-us-farms-risks-and-opportunities>. Questions or comments regarding the study should be referred to [US EPA](#).

Please note that WRRDA does not change the Aboveground Petroleum Storage Act (APSA).