

**Unified Program Newsletter
June 2015**

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CalEPA

Recently Posted FAQs and Help Guidance on CERS Central

Listed below are the most recent FAQs and Help Guidance documents that have been posted to the CERS Regulator Portal (<https://cersregulator.calepa.ca.gov/Help>):

General Information

- How to Report Multi-Day Inspections (5/12/15)
(How should inspections that take more than one day to complete be reported in CERS?)
- Citations for Failure to Report UP Required Information (5/18/15)
(What code citations should use to site for failure to electronically report required Unified Program information?)

Submittals

- Can a Submittal Relate to Construction Permitting (3/2/15)
(Can a CERS submittal be required as part of the new construction or tenant improvement project permitting process?)

Underground Storage Tanks (USTs)

- When to Issue a UST Operating Permit (Updated 4/13/15)
(Can a UPA issue UST operating permit if the facility has not submitting electronically to CERS or a local portal? What if the facility has submitted but the UPA does not accept the submittal?)

REMINDER: Annual Single Fee Summary Report (Report 2) must be submitted to CalEPA by September 30, 2015

Per California Code of Regulations, Title 27, Division 1, Subdivision 4, §15290(a), the Annual Single Fee Summary Report (Report 2) for the previous fiscal year must be submitted 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 Tank 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 Certified Unified Program Agency 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.

A MS Word template for Report 2 is available on the CalEPA website at: <http://www.calepa.ca.gov/CUPA/Publications> under the heading "Required Summary Reporting Forms and Instructions for 'CUPA-to-State' Reporting."

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

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

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>).

Department of Toxic Substances Control

After-Hour Temporary ID Numbers Issued By DTSC Emergency Response Duty Officers

DTSC Emergency Response Duty Officers (ERDOs) take telephone calls for temporary ID numbers after hours in response to hazardous waste emergencies or spills, etc. U.S. EPA has the same procedures. Sometimes the call goes to U.S. EPA (Washington DC or San Francisco) or California

Office of Emergency Services and based on the waste and scenario the caller is instructed to call California's after-hours number. California's (OES) number is (800) 852-7550 and will be routed to DTSC. U.S. EPA's after-hours number is (415) 947-4400.

<http://www.dtsc.ca.gov/IDManifest/EMERHWID.cfm>

DTSC ERDOs issue the temporary ID numbers from a list of ID numbers provided by the DTSC Generator Information Services Section (GISS). The temporary ID number is then entered into Hazardous Waste Tracking System (HWTS).

Additional Hazardous Waste ID Frequently Asked Questions can be found at:

<http://www.dtsc.ca.gov/IDManifest/IDNUMFAQ.cfm>

CAL FIRE - Office of State Fire Marshal

Farms and the Federal Water Resources Reform and Development Act

The United States Environmental Protection Agency (U.S. EPA) has published a fact sheet explaining the impacts of the Water Resources Reform and Development Act (WRRDA) on the Spill Prevention, Control, and Countermeasure (SPCC) rule and farms. WRRDA was signed into law by the President on June 10, 2014 and changes certain applicability provisions of the SPCC rule for farms as well as modifying the criteria under which a farmer may self-certify an SPCC Plan.

WRRDA also requires that U.S. EPA conduct a study, in conjunction with the United States Department of Agriculture, to determine the appropriate applicability threshold for farms based on the risk of discharge. The study is scheduled to be completed by June 2015, after which U.S. EPA will anticipate future amendments to the SPCC requirements with regard to the findings of the study. The fact sheet can be found on U.S. EPA's website at

http://www.epa.gov/emergencies/docs/oil/spcc/spcc_wrrda.pdf. Questions or comments regarding the WRRDA fact sheet should be referred to the "For More Information" section of the fact sheet.

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

How to File a Complaint Against an Engineer

The California Board for Professional Engineers, Land Surveyors, and Geologists (BPELSG) has the authority to investigate complaints of violations of the Professional Engineers Act, such as fraud, deceit, misrepresentation, negligence, incompetence, breach of contract, failure to use a written contract, violating the Codes of Professional Conduct, and practicing without a license. Enforcement actions include, but are not limited to, suspending licenses, revoking licenses, placing licenses on probation, issuing administrative citations, and referring the matter to the district attorney for criminal prosecution.

Unified Program Agencies and tank facility owners/operators are encouraged to utilize and follow the BPELSG complaint process when encountering professional engineer certified SPCC plans that contain gross errors or if no site visits have been made by the engineer or his/her agent. The BPELSG complaint process may be found on their website at

http://www.bpelsg.ca.gov/consumers/complaint_licensee.shtml or on their consumer guide which may be found at http://www.bpelsg.ca.gov/pubs/consumer_guide.pdf.