

California Environmental Protection Agency (Cal/EPA)
-Evaluation of General Unified Program Standards -
-Participating Agency (PA) Integration/Implementation-

CUPA name: _____

PA Name: _____

PA's Representative: _____

PA's Phone: _____

Evaluation Date: _____

Evaluator's Name: _____

Evaluator's Phone: _____

NOTE: THESE FINDINGS ARE PRELIMINARY. ADDITIONAL DEFICIENCIES MAY BE IDENTIFIED IN THE DRAFT EVALUATION REPORT

ITEMS TO NOTE IN READING THIS CHECKLIST:

ITALICS THESE QUESTIONS ARE NOT TIED DIRECTLY TO A PERFORMANCE STANDARD AND ARE INTENDED TO BE USED TO GATHER INFORMATION REGARDING THE PROGRAM BEING EVALUATED AND TO PROVIDE FOR FEEDBACK FOR CHANGES TO THE UNIFIED PROGRAM

TEXT TEXT APPEARING IN THIS FONT IS DESIGNED TO ACT AS A REMINDER OF RULES, REGULATORY REQUIREMENTS, QUESTIONS OR OTHER FORMS OF GUIDANCE TO THE REVIEWER AND ARE NOT NECESSARILY TIED TO AN ESTABLISHED PERFORMANCE STANDARD

Unified Program Performance Standards
Evaluation Checklist (Continued)

| | |
|---|------------------------------|
| Which of the following program elements is the PA implementing? (circle applicable) | |
| a) Business Plan | b) UST |
| c) HMMP | d) Hazardous Waste Generator |
| e) Tiered Permitting | f) SPCC |
| g) Other | |

| <u>Compendium Line</u> Citation | Standard | Meets Standards? (Y/N) |
|------------------------------------|--|------------------------------|
| Administrative | Objective: Ensure that the PA has an administrative structure which can support running the PA program and the individual program elements | |
| Self-Audit | Objective: Ensure that the PA continues to improve through self examination | |

Unified Program Performance Standards
Evaluation Checklist (Continued)

| Compendium Line Citation | Standard | Meets Standards? (Y/N) |
|---|---|------------------------------|
| <u>Line 1002</u> T27 15280(b)(1)(A) <u>Line 1041</u> T27 15180(a)(8)(D) | ASK THE PA TO DESCRIBE HOW THE SELF-AUDIT PROCESS OCCURED. DID IT INCLUDE AN INTERNAL AUDIT? DID IT INVOLVE THE CUPA? BOTH? 1. Were you evaluated by the CUPA as part of the self-audit process? If yes: · <i>How did the evaluation occur?</i> · <i>What standards were used to evaluate your performance?</i> a) Have you entered into a Program Improvement Agreement as a result of the audit? | |
| Data Management Objective: Provide for the sharing of information between the PA, the CUPA, the public, other government agencies and other interested parties. | | |
| <u>Line 1046</u> T27 15185(d) <u>Line 1020</u> T27 15180(a)(2)(A) <u>Lines 1052</u> T27 15188(a)(1) <u>Line 1053</u> T27 1188(a)(2) <u>Line 1294</u> T27 <u>Line 1055</u> T27 15188(a)(2)(B) <u>Line 1183</u> T27 15250(a)(5) <u>Line 1001</u> T27 15280(a)(2) | 2. Are you acting as a repository for any Unified Program information for the CUPA? If yes: Do you have a procedure for record maintenance? WHILE REVIEWING THE WRITTEN P&P, ASK THE PA TO DESCIBE HOW THEY DO IT- NOTE ANY DISCREPANCIES If yes, does it include: a) The types of records to be maintained? b) Retention times? 1) Including inspection reports, enforcement files, and TP notifications for 5+ years? 2) Including HW enforcement actions for 3+ years? 3) Including surcharge billing and collection data for 5+ years from the end of a billing period? 4) Including data (electronic or hard copy) used to generate Reports 2-6 for 5+ years? c) Archive procedures? d) Disposal methods? | |
| Policies and Procedures Objective: Establish an infrastructure that allows for the consistent application of the Unified Program. | | |

Unified Program Performance Standards
Evaluation Checklist (Continued)

| Compendium Line Citation | Standard | Meets Standards? (Y/N) |
|---|---|-------------------------------|
| <p><u>Line 1026</u> T27 15180(a)(2)(B)</p> <p><u>Line 1184</u> T27 15250(a)(6)</p> <p><u>Line 1003</u> T27 15280(a)(3)</p> <p><u>Line 1028</u> T27 15180(a)(2)(C)(ii)</p> <p><u>Line 1183</u> T27 15250(a)(5)</p> | <p>3. Are you a responsible agency:--WHAT IS A RA? T27 DEFINITION IS UNCLEAR</p> <p>a) Do you have a procedure for how to respond to requests for information: From the public?</p> <p>From government agencies with a right of access?</p> <p>From emergency responders?</p> <p>b) Do these procedures include responding to requests for Unified Program information from the CUPA? <i>(specifically, training records)</i></p> <p>c) Do you have procedures for record retention as noted in 2 b), c) and d) above?</p> <p>ASK THE PA HOW "FORMAL" AND "INFORMAL" PUBLIC INPUT HAVE AFFECTED THEIR PROGRAM. "INFORMAL" INPUT WOULD BE DIRECT COMPLAINT TO COUNCELMEMBERS WHO THEN ASK FOR CHANGES</p> | |
| <p><u>Line 1034</u> T27 15180(a)(4)</p> | <p>ASK THE PA IF THERE HAVE BEEN ANY DISPUTES, AND TO DESCRIBE HOW THEY WERE RESOLVED IF SO.</p> <p>4. Have there been any disputes with the CUPA?</p> <p>• <i>How were they resolved?</i></p> <p>a) Did they follow a step-by-step procedure for handling the dispute?</p> <p>DOES THE PROCESS DESCRIBED BY THE PA MATCH THE WRITTEN PROCESS?</p> | |
| <p>Coordination Objective: Ensure that coordination and consistency exists between the CUPA and PA.</p> | | |

Unified Program Performance Standards
Evaluation Checklist (Continued)

| Compendium Line Citation | Standard | Meets Standards? (Y/N) |
|--|--|-------------------------------|
| <u>Line 1038</u> T27 15180(a)(8)(A) | <p>REVIEW AGREEMENTS IN THE FILE PRIOR TO THE EVALUATION. ASK IF THERE HAVE BEEN ANY CHANGES OR ANYTHING THEY THINK SHOULD BE CHANGED/ADDED.</p> <p>5. Is there a signed PA Agreement?</p> <p>If yes:</p> <ul style="list-style-type: none"> · <i>Has it been changed or modified since the last evaluation?</i> · <i>Were any of the roles, responsibilities or other parts of the Agreement examined during self-audits?</i> | |
| <u>Line 1037</u> T27 15180(a)(7) <u>Line 1138</u> T27 15200(f)(2)(E) | <p>6. What meetings do you regularly attend in order to coordinate and make consistent the UP? With What frequency do they meet?</p> <p>a) Do these meetings include discussions of integrated and multi-media inspections and enforcement?</p> | |
| <p>Permitting Objective: Provide businesses with one packet containing all non-repetitive, relevant information, and to collect and process that information in a timely manner in order to issue one permit.</p> | | |
| <u>Lines 1082-1084, 1090-1092</u> T27 15190(c) <u>Line 1095</u> T27 15400.3(c) <u>Line 1102</u> T27 15400.3(d) <u>Line 1072</u> T27 15190(b)(6)(A) | <p>7. Have you consulted with the CUPA regarding the Consolidated Permit ?</p> <ul style="list-style-type: none"> · <i>What parts of the plan are you responsible for implementing?</i> <p>a) Are you collecting information using a modified UPCF?</p> <p>If yes:</p> <p>a) Are you collecting forms that have any information not pertaining to the program elements you are implementing?</p> <p>b) Have they reached consensus with the CUPA regarding changes to the form and how the information shall be handled?</p> <p>How are you coordinating those items noted above with the CUPA's process?</p> <p>ASK FOR A COPY OF THE MODIFIED FORM AND COMPARE TO A "CLEAN" AND A CUPA FORM.</p> | |

Unified Program Performance Standards
Evaluation Checklist (Continued)

| Compendium Line Citation | Standard | Meets Standards? (Y/N) |
|--|--|---------------------------|
| <p>Inspection and Enforcement Standards</p> <p>Objective: Ensure that each business is inspected and enforced against in an even, fair and consistent manner, and at a level commiserate with State and Federal expectations.</p> | | |
| <p><u>Line 1122</u> T27 15200(f)</p> <p><u>Line 1139</u> T27 15200(f)(2)(G)</p> | <p>8. Have you helped develop an Inspection and Enforcement Plan?</p> <p style="padding-left: 40px;">· <i>Is the Plan based on the "Guidance for the Preparation of Inspection and Enforcement Program Plans (02/2000), developed by the CalCUPA Forum?</i></p> <p>a) Has the plan led to coordination of inspections with the CUPA? · <i>Why/Why not?</i></p> <p>ASK TO SEE A COPY OF THE PLAN. ENSURE THAT IT IS FILLED IN FOR THIS AGENCY</p> | |
| <p><u>Line 1132</u> T27 15200(f)(2)</p> <p><u>Line 1130</u> T27 15200(f)(1)(G)</p> | <p>9. Have you PA helped develop an enforcement plan?</p> <p>a) Does it include coordination of enforcement actions with the CUPA?</p> <p style="padding-left: 40px;">· <i>How has this been implemented/practiced?</i></p> | |
| <p>Single Fee System</p> <p>Objective: Provide a system by which businesses can pay all Unified Program related fees at one time, while providing assurance that the fees charged are reasonable and necessary.</p> | | |
| <p><u>Line 1154</u> T27 15230(a)</p> <p><u>Lines 1159-1166</u> T27 15210(b)(1)</p> <p><u>Line 1167</u> T27 15210(b)(2)</p> | <p>ASK THE PA TO EXPLAIN HOW THEY SET FEES</p> <p>10. In calculating fees, have you considered the following:</p> <p>a) The amount billed and the amount collected?</p> <p>b) Discrete billable services (specific and general)?</p> <p>c) Staff work hours to implement the program?</p> <p>d) Direct expenses including durable and disposable goods?</p> <p>e) Indirect expenses including overhead?</p> <p>f) Number of regulated businesses?</p> <p>g) Total number of businesses?</p> <p>h) Quantity and range of services offered, including frequency of inspection?</p> <p>Do you review these fees/factors annually?</p> <p>ASK TO SEE A WORKSHEET, BUDGET DETERMINATION PROPOSAL OR OTHER DOCUMENTATION OF THIS CALCULATION</p> | |

Unified Program Performance Standards
Evaluation Checklist (Continued)

| Compendium Line Citation | Standard | Meets Standards? (Y/N) |
|--|--|-------------------------------|
| <u>Line 1147</u> T27 15210(a)(4) <u>Line 1151</u> T27 15210(a)(7) <u>Line 1148</u> T27 15210(a)(4)(A) | 11. Have you notified the CUPA of your fees? Has the CUPA collected all of the fees assessed on your behalf? Has the CUPA been transmitting to you those collected fees in a timely manner (45 days from collection) or as agreed to? ASK FOR A COPY OF TRANSMITTALS, RECEIPTS, COVER LETTERS DEMONSTRATING THIS | |
| <u>Line 1158</u> T27 15210(a)(8) | 12. Do you make your fee schedules available to the public? · <i>How?</i> ASK FOR A COPY OF THE NEWEST FEE SCHEDULE | |
| Training Objective: Ensure that CUPA staff have the appropriate level of expertise and continuing training to implement the unified Program elements in a level consistent with State standards. | | |
| <u>Line 1234</u> T27 15260(a)(2) | 13. Are you implementing any program elements that you did not implement prior to application? If yes, and that program is the Hazardous Waste Generator and/or Tiered Permitting: Do you have one supervisor or technical staff who has 100 hours of training in : a) Regulatory overview b) Classification, identification and chemistry of hazardous materials and wastes c) Health and environmental effects, including chemical exposure and route of entry d) Sampling methods and use of instrumentation for detection of hazardous substances e) Conducting inspections and enforcement actions, and writing inspection reports and Notice of Violations f) Interviewing, case development and evidence preservation COMPARE THE NAME AND CONTENT OF CLASSES WITH THE REQUIRED ELEMENTS- DO THEY MATCH? IS THERE ANY DOCUMENTATION (AGENDA/TABLE OF CONTENTS) IN SUPPORT | |
| <u>Line 1259</u> T27 15270(c) <u>Line 1289</u> T27 15260(d)(3)(D) <u>Line 1028</u> T27 15180(a)(2)(C)(ii) | 14. Do you have a plan for providing ongoing training to your staff? If yes: · <i>How do you designate which courses are to be taken?</i> a) Do you document all of your staff's training? COMPARE THE NAME AND CONTENT OF CLASSES WITH THE REQUIRED ELEMENTS- DO THEY MATCH? IS THERE ANY DOCUMENTATION (AGENDA/TABLE OF CONTENTS) IN SUPPORT | |

Unified Program Performance Standards
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|--|---|---------------------------------------|
| <p><u>Line 1259</u> T27 15270(c)</p> | <p>15. Does you staff receive training in:</p> <ul style="list-style-type: none"> a) Hazardous materials and waste permitting, inspection and enforcement duties and responsibilities? b) Inspection techniques and scheduling including evidence collection, chain of custody, sample preservation, and interviewing? c) Administrative practices within hazardous materials and wastes programs? d) Monitoring equipment, data evaluation, and interpretation of hazardous materials and waste analysis? e) Field health and safety training including inspection planning, safety equipment, on-site procedures, decontamination, and hazard recognition and avoidance? <p>COMPARE THE NAME AND CONTENT OF CLASSES WITH THE REQUIRED ELEMENTS- DO THEY MATCH? IS THERE ANY DOCUMENTATION (AGENDA/TABLE OF CONTENTS) IN SUPPORT</p> | |