



CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY



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IN THIS ISSUE:

CalEPA	Title 27 Rulemaking Package
DTSC	
SWRCB	None
Cal OES	None
Cal FIRE-OSFM	Aboveground Petroleum Storage Act (APSA) California Fire Code

California Environmental Protection Agency

Title 27 Rulemaking Package

Effective December 17, 2013, amendments to the following Divisions of Title 27 became final:

- Division 1, Subdivision 4
- Division 3, Subdivision 1– Data Dictionary

The majority of Title 27 amendments correspond to the electronic data reporting requirements of Health and Safety Code, chapter 6.11, section 25404 (e)(4), resulting from Assembly Bill 2286. However, minor amendments were also made, such as clarification of requirements not related to electronic reporting, law citations, grammar correction and the removal of sections no longer applicable due to the requirement of electronic reporting. Minor amendments were also made to the Data Dictionary.

Titles 19, 22 and 23 still depict the paper-based reporting process for required data, however the California Office of Emergency Services, the State Water Resources Control Board and the Department of Toxic Substances Control have initiated or will be initiating the rulemaking process to amend each respective Title to reflect the electronic data reporting requirements of Health and Safety Code, chapter 6.11, section 25404 (e)(4).

The amended text for each Division of Title 27 is available on the Unified Program website at: <http://www.calepa.ca.gov/CUPA/>.

Significant amendments to Division 1, Subdivision 4 are summarized as follows:

Part I: Definitions, Applications and Certification			
Article 1:	Section:	Subsection:	Amendments include:
Introduction	15100	(a)(2)	Addresses all requirements of the Aboveground Storage Tank (AST) program
		(b)(2)(B)	California Fire Code has been amended and is effective in 2014, previous cited code sections will be obsolete and have been deleted
		(b)(2)(C)(iii)	Emergency response agencies will have access to electronic information in data management systems to protect public health, safety and the environment
		(b)(2)(D)	Names the State Water Resources Control Board responsible for the Underground Storage Tank (UST) program
		(b)(2)(F)	Names the Department of Toxic Substances Control responsible for the Hazardous Waste Generator, Onsite Hazardous Waste Treatment programs and additional programs pursuant to Health and Safety Code, chapter 6.11, section 25404(c)(1)
		(b)(2)(G)(iii)(2)	CUPAs will establish procedures to accept Contingency Plan Activation, Release and Tiered Permitting Closure reports from businesses
Article 2:	Section:	Subsection:	Amendments include:
Definitions	15110	(d)(3)	Added term, "Document"
		(d)(6)	Added term, "Data Exchange Technical Specification"
Article 4:	Section:	Subsection:	Amendments include:
Certification Process and Responsibilities	15170	(a)(2)(C)(vi)	CUPA must consider time allocated for electronic reporting
Part II: Operations			
Article 5:	Section:	Subsection:	Amendments include:
Implementation and Maintenance of the Unified Program	15180	(e)(7)(A-C)	CUPA must create procedures to manage electronic data
	15185	(a)	CUPA does not need to retain data/documents locally if submitted electronically into CERS
	15186	(a)(1-3), (b)	New language addresses the establishment and maintenance of the Unified Program Data Dictionary (Division 3, Subdivision 1), used by businesses to report data electronically as required
		(c)	State agencies must identify and specify options for electronically submitting documents (scanned paper forms, PDF forms, maps, etc.)
		(d)	If a new state law is passed, and electronic reporting elements are not yet updated to reflect the new law, state agencies may develop a form for businesses to temporarily use to upload required data

	15186.1	(a)(1-21)	Added standard description and data element entries for lead acid battery reporting to obtain consistency in chemical inventory reporting.
	15187	(a-e)	Requirements of local electronic information management systems used to report data electronically as required in lieu of CERS
	15188	(a-e)	Reflects business reporting requirements consistent with Health and Safety Code 6.11, section (e)(4)
	15190	(b)(1-3)	UPA is required to provide regulated businesses with instructions to submit required permit information electronically, local permit requirements must be mandated by local law [subsection 15185(e)]
	15200	(a)(2)(F)	UPA has authority to implement or enforce requirements of the AST program in its jurisdiction
		(a)(13)	CUPA addresses and verifies complaints received related to the Unified Program
	15240	(c)(4)	Includes AST program and state surcharge
	15250	(b)(1)(C)	Remittance report will no longer be numbered
Article 6:	Section:	Subsection:	Amendments include:
CUPA Self-Auditing and Reporting	15290	(a)(1-3)	Annual Single Fee Summary Report will no longer be numbered, includes AST regulated businesses
		(b)(1-4)	Inspection, Violation and Enforcement data is required to be reported electronically, within 30 days after the end of each quarter. PAs must submit data electronically directly to the CUPA or via CERS. Annual inspection and enforcement summary reports and semi-annual UST program reports are being removed from Title 27 as the data will be submitted electronically.
		(c)	Requires CUPA to electronically submit an enforcement report detailing formal enforcement of a case receiving a final disposition

Significant amendments to Division 3, Subdivision 1- Data Dictionary reflect the significant amendments of Division 1, Subdivision 4 and the requirement to report data electronically. Other minor amendments to Division 1, Subdivision 4- Data Dictionary are as follows:

Column Headings	CERS Minimally Required Fields, new column	“True” data element= data must be entered for electronic submission. “False” data element= data does not need to be entered for electronic submission
	XML TAG, new column	Required for each data element
	CODES	Previously titled “EDIT CRITERIA/CODES”
Data elements for various fields	Expanded the amount of characters accepted for data submittal	

Department of Toxic Substances Control - None

State Water Resources Control Board - None

Office of Emergency Services – Cal OES (formerly Cal EMA) - None

CAL Fire-Office of State Fire Marshal

Aboveground Petroleum Storage Act (APSA)

The APSA Advisory Committee will next meet on January 23, 2014. The meeting notices and previous minutes may be viewed at

http://osfm.fire.ca.gov/advisorycommittees/advisorycommittees_apsa.php.

The APSA Regulations Workgroup will next meet from February 6, 2014, at the CUPA Conference in Burlingame. The regulations subgroups continue to propose language for the regulations. Subgroup A, which is chaired by Carolyn Brown and Jeremy Gates of Riverside County CUPA, covers administration, definitions, and applicability. Subgroup A last met on December 6, 2013, and will next meet on January 10, and 24, 2014. Subgroup B, which is chaired by Sande Pence of San Diego County CUPA covers general and specific provisions and requirements. Subgroup B last met on December 19, 2013, and will next meet on January 14, 2014. Subgroup C, which is chaired by Michelle Le of PG&E covers CUPA inspection, enforcement, reporting, CUPA training, cleanup, abatement, etc. Subgroup C last met on December 16, 2013; the date for their next meeting has yet to be determined. The Tanks in Underground Areas Subgroup last met on December 19, 2013, and will next meet on January 9, 2014.

For more information please contact Jennifer Lorenzo at (916) 324-0332 or Jennifer.Lorenzo@fire.ca.gov.

California Fire Code

The 2013 California Fire Code is effective January 1, 2014. All parts of the 2013 triennial edition of the California Building Standards Code (Title 24 of the California Code of Regulations), including the California Fire Code (Part 9), may now be viewed online at <http://www.bsc.ca.gov/codes.aspx> (click on the 2013 triennial edition).