

Formal Enforcement Summary Instructions

A Formal Enforcement Summary is to be submitted to the California Environmental Protection Agency (Cal/EPA) within 30 days after the final disposition, judgment, or agreement of each formal enforcement case. Unified Program Agencies should submit the Formal Enforcement Summary by mail or as an email attachment until the information can be collected through the California Electronic Reporting System (CERS). (Note: the numbering of the instructions follows the data element numbers that are on the Unified Program Consolidated Form (UPCF) pages. These data element numbers are used for electronic submission and are the same as the numbering used in Division 3, Electronic Submittal of Information.)

CUPA - Enter the name of the Certified Unified Program Agency (CUPA) or Participating Agency (PA) that applied the formal enforcement action.

DATE SUBMITTED - Enter the date the Formal Enforcement Summary will be submitted to Cal/EPA.

I. FACILITY IDENTIFICATION

3. BUSINESS NAME - Enter the full legal name of the business. This is the same as the terms Facility Name or DBA - Doing Business As - that might have been used in the past.

103. BUSINESS SITE ADDRESS - Enter the street address where the facility is located. No post office box numbers are allowed. This information must provide a means to geographically locate the facility.

104. BUSINESS SITE CITY - Enter the city or unincorporated area in which business site is located.

105. ZIP CODE - Enter the zip code of business site. The extra 4 digit zip may also be added.

VIOLATION SUMMARY

4. HAZARDOUS MATERIALS - Check the box if the formal enforcement action resulted from a violation or violations of the Hazardous Materials Release Response Plan program.

4a. Cal-ARP REGULATED SUBSTANCES - Check the box if the formal enforcement action resulted from a violation or violations of the California Accidental Release Prevention (Cal-ARP) program.

5. UNDERGROUND STORAGE TANK (USTs) - Check the box if the formal enforcement action resulted from a violation or violations of the Underground Storage Tank program.

8. ABOVEGROUND PETROLEUM STORAGE - Check the box if the formal enforcement action resulted from a violation or violations of the Aboveground Petroleum Storage Tank program.

9. HAZARDOUS WASTE - Check the box if the formal enforcement action resulted from a violation or violations of the Hazardous Waste Generator program.

11. HAZARDOUS WASTE TREATMENT - Check the box if the formal enforcement action resulted from a violation or violations of the Hazardous Waste Treatment/Tiered Permitting program.

14a. RCRA LARGE QUANTITY GENERATOR - Check the box if the formal enforcement action resulted from a violation or violations of the Resource Conservation and Recovery Act (RCRA) Large Quantity Generator program.

14b. HOUSEHOLD HAZARDOUS WASTE COLLECTION - Check the box if the formal enforcement action resulted from a violation or violations of the Household Hazardous Waste (HHW) Collection program.

15. LOCAL REQUIREMENTS - Check the box if the formal enforcement action resulted from a violation or violations of additional local requirements necessary for complying with individual programs.

Narrative description of the violations observed - Enter a brief description of each violation that resulted in the formal enforcement action.

FORMAL ENFORCEMENT ACTION

Type of Enforcement Action:

ADMIN - Check the box if the formal enforcement action was an Administrative Enforcement Order (AEO).

CIVIL - Check the box if the formal enforcement action was a civil case.

CRIMINAL - Check the box if the formal enforcement action was a criminal case.

Date of Initial Enforcement Action - Enter the date the formal enforcement action began.

Date of Final Disposition - Enter the date the final outcome of the formal enforcement action was decided.

Cash Fines/Penalties Imposed - Enter the total dollar amount of the fines and penalties assessed by the local agency.

Total Costs Recovered - Enter the total dollar amount of the local agency's enforcement costs that were assessed through the formal enforcement action.

Value of SEP Penalties Imposed - Enter the total dollar amount of any Supplemental Environmental Projects (SEP) that resulted from the formal enforcement action.

DESCRIPTION OF FINAL DISPOSITION - Enter a brief summary about the final outcome of the formal enforcement case. The summary may include, but not limited to: whether the case was multijurisdictional, if a prosecutorial agency was involved, the remedial actions to correct harm, the result of any criminal conviction, etc.

Please submit the completed form to CUPA@calepa.ca.gov.