

Unified Program Electronic Reporting
Defining the Scope of Reporting
January 9, 2009

Assembly Bill 2286 (Chapter 51, statutes 2008) sets January 1, 2013 as the deadline for businesses and Unified Program Agencies (UPAs) to be reporting required information electronically. This letter is intended to answer the question about which data must report electronically to UPAs and which data UPAs must report electronically to the state.

The legal requirements for reporting derive from state law and regulations. Health & Safety Code, Ch. 6.11, section 25404(e)(1) & (2) and California Code of Regulations (CCR) Title 27, Division 1, Subdivision 4, Chapter 1, section 15185(a) establish the requirement that UPAs must collect and submit all data defined in the CCR Title 27 Data Dictionary.

UPAs typically use paper forms, imaged facsimiles, and/or data systems to meet the CCR Title 27 section 15185(a) regulatory information collection requirement. They submit paper summary reports defined in CCR Title 27 to Cal/EPA to meet their reporting requirements. With the implementation of electronic reporting required in 25404(e)(4), all of this information will be required to be accepted electronically from businesses and reported electronically to the state.

Supporting information:

The pertinent part of the Health and Safety Code speaking to the issue of scope is:

25404 (e) (1) The secretary shall establish standards applicable to CUPAs, participating agencies, state agencies, and businesses specifying the data to be collected and submitted by unified program agencies in administering the programs listed in subdivision (c). ...

(2) (A) No later than January 1, 2010, the secretary shall establish a statewide information management system capable of receiving all data collected by the unified program agencies and reported by regulated businesses pursuant to this subdivision and Section 25504.1, in a manner that is most cost efficient and effective for both the regulated businesses and state and local agencies. The secretary shall prescribe an XML or other compatible Web-based format for the transfer of data from CUPAs and regulated businesses and make all non-confidential data available on the Internet. ...

(4) No later than three years after the statewide information management system is established [January, 2013], each CUPA, PA, and regulated business shall report program data electronically. ...

The pertinent part of Title 27 of the California Code of Regulations (CCR) speaking to the issue of scope is:

Section 15185. Information Collection, Retention, and Management

(a) CUPAs shall collect, retain, and manage information needed to implement the Unified Program, including but not limited to these regulations and all information defined in the Unified Program data dictionary.

Additionally, CCR Title 27, Section 15290. Reporting, subsections (a)(2), (3), (4), (b), (c), (d), (e) and (j) will necessarily become inoperative in 2013. The revised statute supersedes the regulatory requirement related to electronic submission. CalEPA will revise the regulations to conform to the newer statutory language.