



CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY



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Unified Program Newsletter June 2012

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California Environmental Protection Agency

Unified Program Oversight Surcharge Fee Reduced

In 2008, with support from business associations and local governments, the legislature enacted a requirement for all businesses and local government agencies regulated under the Unified Program to implement electronic regulatory reporting. The legislation also created the funding mechanism to support the transition to electronic reporting. The Oversight Surcharge fee was raised to \$49 on each regulated business effective July 1, 2009 for three years of billing cycles in each of the UPAs. As the three years comes to a close, Cal/EPA has published the new proposed surcharge fee in the California Notice of Register on May 25 for a 30 day comment period and will hold a public workshop on the afternoon of June 14 to discuss the new fee (<http://www.oal.ca.gov/res/docs/pdf/notice/21z-2012.pdf>). After accepting and considering comments, Cal/EPA will publish the final surcharge fee in the California Notice of Register, expected to be July 13. The new Oversight Surcharge fee is recommended to be reduced to \$35 per year per regulated business to cover the ongoing program costs, which now includes the additional full time permanent employees and other recurring costs directly supporting electronic reporting.

Contact: Jim Bohon (916) 327-5097 or jbohon@calepa.ca.gov

Electronic Reporting Implementation Status

The Regulator and Business User Groups continue to meet on a regular basis. To get more information on these user groups go to CERS Central, <http://cers.calepa.ca.gov/>.

The most up to date UP Data Dictionary is published on the CERS Data Registry web site at: <https://cers.calepa.ca.gov/Data/Registry/>. This website includes the Unified Program Data Dictionary, CERS Locally Collected Fields for CERS Electronic Data Transfer, and other technical documents. This site will continue into the future as a major communication tool for technical support.

The authority and funding are now in the pending Budget Act for next fiscal year to fully pay all of the grant funds to the local Unified Program Agencies. All but 4 of the grants have been approved and are waiting on an approved fiscal year 2012-13 budget to begin payments. Cal/EPA has paid out more than \$1.2 million in electronic reporting grants so far.

Cal/EPA has revised the completion schedule for the Electronic Reporting project. There are several significant dates:

- Electronic data transfer with CUPAs without local business reporting portals is available – 7/31/2012
- Electronic data transfer with CUPAs with local business reporting portals is available – 12/31/2012
- Upload and Download CUPAs are fully supported – 12/31/2012
- All CUPAs using electronic data transfer are operational – 4/1/2013
- Electronic Reporting Project Completion – 6/30/2013

CERS is available for data seeding at this time for any CUPA that is ready. To date, 2 CUPAs have scheduled data seeding.

There is a live listing of proposed changes to CERS at <https://cersapps.calepa.ca.gov/Enhancements/>. Changes can also be proposed through the CERS application. The Change Management Committee will determine the actual priority for accepted changes.

Contact: Dan Firth (916) 445-5049 or dfirth@calepa.ca.gov

Unified Program Enforcement

Violation Library: Earlier this year, the Unified Program Administrative and Advisory Group's Enforcement Steering Committee approved the contents of a Violation Library that is now part of CERS. The library contains over 550 defined violations derived from over a year of shared effort between state and local technical staff. While the Violation Library is not mandatory, local violations will be mapped to the Violation Library thereby providing the standardization that will provide the basis for a consistent reporting of violations statewide. The Violation Library has been published and available through CERS Central, <http://cers.calepa.ca.gov/>.

Formal Enforcement Report Template: Cal/EPA has developed and the Enforcement Steering Committee has approved a Formal Enforcement Report Template. The report summarizes a formal enforcement case on a single page. The report template is to be completed by CUPAs for each closed formal enforcement case. Once completed the CUPAs are requested to forward the enforcement summary report to Cal/EPA. Cal/EPA will post these reports on the Unified Program website. Cal/EPA has distributed an email to all CUPAs that introduces the report template and serves as the formal request from Cal/EPA for all CUPAs to submit the Enforcement Report for each closed formal enforcement case.

Contact: Kareem Taylor (916) 327-9557 or via email at KareemT@CALEPA.ca.gov

New Guidance Documents

Cal/EPA published two new guidance documents developed by the Hazardous Materials Technical Advisory Group and reviewed by the Cal/EPA Office of Environmental Health Hazard Assessment. The guidance documents help to implement the recently passed Assembly Bill 408 (Statutes of 2011).

- CAL/EPA Unified Program Policy for Hazard Classification - Gases
- CAL/EPA Unified Program Policy for Hazard Classification – Solids and Liquids

These guidance documents are posted at <http://www.calepa.ca.gov/CUPA/Bulletins/>.

Department of Toxic Substances Control - None

State Water Resources Control Board

New Regulations

The State Water Resources Control Board (State Water Board) amended California Code of Regulations, title 23, division 3, chapter 16, article 3, section 2631 relating to design and construction requirements for new underground storage tanks (USTs). The new regulation provides an option for compliance with existing independent testing and approval requirements so that UST owners and operators can store alternative fuels in USTs in a manner that does not create any significant risk of adverse impacts to water quality.

The State Water Board specifically amended section 2631(b) and adopted subsections (j) and (k) of section 2631 to allow UST owners and operators with USTs that are fully double-walled to demonstrate compliance with compatibility standards by submitting to the local agency a written, affirmative statement of compatibility for the specific hazardous substance from the manufacturer(s) of the containment or components. This option is only applicable when the independent testing organization approval for containment or UST components does not include the compatibility of the hazardous substance stored or to be stored.

For new regulation text please go to the OAL link <http://ccr.oal.ca.gov/linkedslice/default.asp?SP=CCR-1000&Action=Welcome>.

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ICC UST Certification Exams

International Code Council (ICC) certification exams for California UST System Operator (UC), California UST Inspector (UI), and California UST Service Technician (UT) have been updated and the new exams begin July 1, 2012.

The exams are still open book for the UC and UI and closed book for the UT. The ICC CA UST Exam Reference book will be changed for this exam. New code or regulations enacted since March 2007 are included in the exams and these code and regulation changes are in the new reference book. For information on signing up for exams please visit this link: <http://www.iccsafe.org/Accreditation/Pages/ust-ast.aspx> and to buy the new Reference book, order after June 1, please go to <http://www.iccsafe.org/Store/Pages/Product.aspx?id=1375S04>.

Additional changes in reference items are that 'Straight Talk on Tanks' will no longer be used. Also two Petroleum Equipment Institute (PEI) reference publications, PEI RP500(1) and PEI RP900(2) will be added as references for all three new exams. Those taking the UC and UI exams starting July 2012 will need to bring these two references with them. PEI publications can be purchased at www.pei.org.

1. PEI RP500-11 – Recommended Practices for Inspection and Maintenance of Motor Fuel Dispensing (2011)
2. PEI RP900-08 – Recommended Practices for Inspection and Maintenance of UST Systems (2008)

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California Emergency Management Services - None

Office of State Fire Marshal - None