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Unified Program Newsletter – September 2018

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CalEPA

CERS Knowledge Base: Help and FAQ's

How to Add a New User to an Existing Facility

<https://cers.calepa.ca.gov/knowledgebasehelp-faqs/>

If you have questions please email cers@calepa.ca.gov

Chemical Inventory Reporting: Lead Acid Batteries

Revisions to the California Code of Regulations, Title 27 for Unified Program businesses and regulators took effect on July 1, 2018. However, the text within Section 15186.1 (a) and (b) was not revised to reflect the obsolete Federal Hazard Categories of “corrosive” and “...” as they relate to the standard descriptions and values contained in the California Environmental Reporting System (CERS) Chemical Library template CCL-106669. Though the text in Section 15186.1 has not been updated, the template has. To report chemical inventories for lead acid batteries and lead acid battery waste, regulated business handlers should simply utilize the existing chemical inventory template, CCL-106669, provided in CERS as it reflects the correct Federal Hazard Categories. CalEPA will establish a rulemaking to address the correction of the text in Section 15186.1 (a) and (b) in 2019.

For questions regarding Chemical Inventory Reporting for Lead Acid Batteries and Lead Acid Battery Waste, please contact John Paine at (916) 327-5092 or email John.Paine@calepa.ca.gov.

Trade Secret Disclosure Form – Template

As required by changes to California Code of Regulations, Title 27, Section 15188(e) effective July 1, 2018, a completed Trade Secret Disclosure (TSD) form must now

accompany each chemical or mixture claimed as a trade secret by the regulated business in the Hazardous Material Business Plan CERS submittal, to affirm the assertion of each chemical or mixture claimed or disclosed as a trade secret.

- The chemical or mixture formulator or manufacturer who creates the SDS **is** required to submit a TSD form to establish the claim of proprietary formulation.
- The user of a chemical product that indicates a trade secret formulation on the Safety Data Sheet (SDS) for the chemical or mixture **is not** required to submit a TSD form.

The TSD Form must be submitted with the Hazardous Materials Inventory under the “Miscellaneous State-Required Documents” upload feature.



The [TSD form](#) is available in Appendix C of Title 27 as well as on the Unified Program webpage at <https://calepa.ca.gov/cupa/publications/>, under the header “Business-to-CUPA Reporting Forms.”

For questions regarding the TSD Form, please contact Melinda Blum at (916) 327-9560 or email Melinda.Blum@calepa.ca.gov.

State Water Board

Adopted Amendments to the UST Regulations

Adopted Amendments Become Effective October 1, 2018

The rulemaking package for the adopted amendments to California Code of Regulations, title 23, division 3, chapter 16 (Underground Storage Tank (UST) Regulations) have been approved by the Office of Administrative Law and filed with the Secretary of State. The amendments become effective on October 1, 2018.

Informational Webinars for the Regulated Underground Storage Tank Community and Unified Program Agencies

On July 17, 2018, the State Water Board distributed notices of upcoming webinars to inform Unified Program Agencies (UPAs) and the regulated UST community on the

amendments to UST Regulations. The notices are posted at:

https://www.waterboards.ca.gov/ust/adm_notices/fed_rec_regs/reg_cup_web.pdf
and

https://www.waterboards.ca.gov/ust/adm_notices/fed_rec_regs/reg_own_web.pdf

The webinars for UPAs are to assist UST regulators in verifying that UST owners and operators are complying with the amended regulations. The presentation includes review of the CERS submittals, required forms, compatibility documentation, workplans for installation, replacement, and repairs of UST components, and how the annual inspection is affected by the amendments to the UST regulations. The webinars for the regulated UST community are to provide information regarding how to comply with the amended regulations for, but not limited to, testing, inspection, UST component compatibility, upgrades, and training.

Webinars Intended for the Regulated UST Community

Webinar Information:

Date: September 26, 2018

Time: 9:00 a.m. to 12:00 p.m.

The link to the webinar is available at:

<https://stateofcaswrcbweb.centurylinkccc.com/CenturylinkWeb/LauraFisher>

Telephone: 1-877-820-7831

Participant pass code: 683375#

Attendees may pose written questions during the webinar. To ask a question, click on the Q&A icon located at the top of the page. Questions will be addressed at the end of the webinar.

Updating Local Guidance

Consistent with previous rule changes, the State Water Board is revising existing and drafting new local guidance (LG) letters regarding compliance with and enforcement of the adopted amendments to the UST requirements. State Water Board staff will provide an opportunity for UPA input. Once the LG letters are complete, they will be distributed through the UST Program's Lyriss email list and posted to the UST Program's website.

To subscribe to the UST Program's Lyriss email go to

https://www.waterboards.ca.gov/resources/email_subscriptions/ust_subscribe.html.

Adopted Forms Soon to be Required

The amendments to the UST Regulations include adopting forms required to be used to record testing and inspection results, training of facility employees, the UST owner or operator statement of understanding and compliance with the UST Regulations, and designated UST operator identification. The forms are required to be used on and after October 1, 2018. To prevent any confusion of which forms must be used currently, the forms have been watermarked as a sample. The watermark will be removed when the forms are made available to the public through being published in the UST Regulations.

Publication should occur shortly. The forms can be found in a PDF and Word fillable format at https://www.waterboards.ca.gov/water_issues/programs/ust/forms/.

If you have questions regarding the adopted amendments to the UST Regulations, please contact Mr. Cory Hootman at (916) 341-5668 or email cory.hootman@waterboards.ca.gov.

Revised LG-164: Report 6 and New U.S. EPA Reporting Requirements

The State Water Board has revised the Report 6 to reflect the changes to California UST Regulations and new United States Environmental Protection Agency (U.S. EPA) performance measures. States are required to collect data using the new performance measures once they have implemented UST regulations that meet the 2015 federal UST regulations. California amended UST regulations become effective on October 1, 2018.

UPAs will continue to collect data using the current U.S. EPA performance measures, Significant Operational Compliance (SOC), through September 30, 2018. Data collection for the new U.S. EPA performance measures, Technical Compliance Rate (TCR), will begin on October 1, 2018 with the implementation of the amended UST regulations and CERS violation library.

The State Water Board has provided detailed guidance to the UPAs on TCR through an updated LG letter. The updated LG-164 explains the new inspection and reporting criteria. LG letters can be found at https://www.waterboards.ca.gov/water_issues/programs/ust/leak_prevention/lgs/.

Additionally, State Water Board staff has been hosting informative webinars to clarify changes to the Report 6, TCR criteria and to address questions. Upcoming webinar dates and times are provided below:

Webinar Information:

Date: September 26, 2018

Time: 1:00 p.m. to 3:00 p.m.

Date: October 11, 2018

Time: 9:00 a.m. to 11:00 a.m.

Date: October 23, 2018

Time: 9:00 a.m. to 11:00 a.m.

The webinar can be accessed at

<https://stateofcaswrcbweb.centurylinkccc.com/CenturylinkWeb/LauraFisher>

Telephone: 1-877-820-7831

Participant pass code: 683375#

Attendees may pose written questions during the webinar. To ask a question, click on the Q&A icon located at the top of the page. Questions will be addressed at the end of the webinar.

Finally, State Water Board staff will continue working with CalEPA to address enhancements to CERS and ensure successful data collection and reporting to the U.S. EPA. CERS 3.0 updates and reporting capabilities are expected to be released in late March, 2019.

If you have questions regarding the Report 6 or performance measures, please contact Mr. Tom Henderson at (916) 319-9128 or email tom.henderson@waterboards.ca.gov.