

Unified Program Newsletter – May 2018

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CalEPA

CERS Tips and Tricks

CERS Tips and Tricks includes helpful explanations and resolutions regarding current issues recently received by the CERS Technical Support Team. If you have questions or concerns please email the CERS Technical Support Team at cers@calepa.ca.gov.

Always use the CERS Central home page (<https://cers.calepa.ca.gov/>) to begin your CERS session. By accessing the business and regulator portals from CERS Central, you will access the latest information and updates for current alerts, outages, operating schedule changes, and announcements. Additionally, you will be able to maneuver through CERS much faster.

I am a NEW Owner of a facility in CERS.

How do I transfer the CERS Facility to my Business?

Sign in to the CERS “Business Portal” from the CERS Central home page.

1) If your facility’s address has already been added/reported in CERS previously...

Carefully read and select the most appropriate of the three options shown in the screen shot below:

- Option #1 is appropriate if the *last known owner/operator* is your business.
- Option #2 is appropriate if you are the new and/or current owner/operator of the facility.
- Option #3 **consult the local regulator before using this option** – it should rarely be used as it purposely creates a duplicate facility at the same address.

Depending on the option selected, additional screens regarding the business and how to request access to the facility information will be shown.

CERS Business Home Submittals Facility

Add New Facility: Existing Facility

Facility Address Already in CERS
A business/organization has previously reported in CERS on a facility with the address you entered. Please select the most appropriate option below.

Facility Name/Address CPA CIVIC CENTER 250 HAMILTON AV PALO ALTO, CA 94301 CERSID 10078156	Last Known Owner/Operator (CERS Business) CPA CIVIC CENTER Last Submittal Date for this Owner/Operator 8/15/2002
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Select 1. This is my facility and I am associated with the last known owner/operator shown above.

Select 2. This is my facility, but it is no longer owned/operated by the last known owner/operator. Transfer this facility to my business.

Select 3. I want to add an additional facility at this address for my business (250 Hamilton Ave, Palo Alto, CA 94301). Do not use this option to change ownership of an existing facility (select option #2 instead).

Cancel

Version 2.20.0129 | Enhancements | CERS Central Diagnostics | Condi

2) The next screen asks for information to create a CERS Business/Organization for the facility.

- If your business will only be reporting on **one** facility, the default Business Name and Headquarters values shown are sufficient, based on the facility information.
- If your business will be reporting on **more than one** facility, modify the Business Name to something more general than the facility name you entered.

You must provide your business phone number so the local regulator can contact you for questions. Select the 'Submit' button.

CERS Business

Home Submittals Facility Compliance My Business

Add New Facility: Add Your Business/Organization to CERS

Your Facility Information

Test Business
123 Main St
Soquel, CA 95073

Your CERS Business Information

Provide/Update Your CERS Business Name*
Test Business
e.g., the legal/corporate name of your business/organization

Provide/Update Your Business Headquarters City/State
Soquel, CA
e.g., Los Angeles, CA

* **Single-facility Businesses:** If your business will report on only one facility, your CERS Business Name should be the same as your facility name.

* **Multi-facility Businesses:** Please modify your CERS Business/Organization Name to something applicable to all of your facilities, typically your corporate/legal name. Once you have established your CERS Business, you can add additional facilities and/or users as necessary.

Add Your Contact Information

Your Phone Number (Required) Your Title (for this CERS Business)

Submit Cancel

- 3) The next screen indicates the facility has been successfully added. Select the 'Continue' button to begin reporting on the added facility starting with the Business Activities submittal element.



U.S. EPA Cross-Walk for EPCRA Tier II Physical and Health Hazard Reporting

The United States Environmental Protection Agency (U.S. EPA) published a final rule on June 13, 2016, (81 FR 38104) to adopt the Occupational Safety and Health Administration (OSHA) new physical and health hazards from the Globally Harmonized System of Classification and Labeling of Chemicals (GHS) for facilities to report hazardous chemicals present on-site on the Tier II form. A correction notice was published on July 21, 2016 (81 FR 47311). Most facilities have received Safety Data Sheets (SDSs) containing the new physical and health hazards with recent shipments of chemicals. Facilities that have not received shipments of chemicals since OSHA established the June 1, 2015, compliance deadline for manufacturers and importers to develop or modify SDSs with the new physical and health hazards are still using Material Safety Data Sheets (MSDSs) containing OSHA's original physical and health hazards.

U.S. EPA, in coordination with OSHA, developed a "**Cross-Walk: Old and New Physical and Health Hazards**" (Attachment 1) to assist facilities that have MSDSs with OSHA's original physical and health hazards in reporting chemicals on the Tier II inventory form or the Tier2 Submit software according to the new physical and health hazards. The U.S. EPA also developed a guide to using the U.S.EPA "Cross-walk: Old and New Physical and Health Hazards" (Attachment 2). Each document is available on the following U.S. EPA website: <https://www.epa.gov/epcra/physical-and-health-hazards-cross-walk-epcra-tier-ii-reporting>

Additionally, U.S. EPA modified the Tier II inventory form and the Tier2 Submit software to include the new physical and health hazards, each is available as follows:

- Tier II Forms and Instructions: <https://www.epa.gov/epcra/tier-ii-forms-and-instructions>
- Tier2 Submit Software downloads: <https://www.epa.gov/epcra/tier2-submit-software>

Facilities should contact local Unified Program Agencies regarding state specific EPCRA Tier II reporting requirements: <http://cersapps.calepa.ca.gov/Public/Directory/>

Unified Program Chemical Library: Revised Chemical Inventory Records in CERS

Effective January 1, 2018, completion of chemical inventories as part of the annual hazardous materials business plan submittal must reflect the new twenty-four (24) federal hazard categories adopted by the United States Environmental Protection Agency (U.S. EPA) to maintain the established equivalency between the California Hazardous Materials Release Response Plans and Inventory Program and U.S. EPA Emergency Planning and Community Right-to-Know Act (EPCRA) reporting.

As many regulated California facilities utilize the pre-populated chemical inventories made available in the California Environmental Reporting System (CERS) Chemical Library, the California Environmental Protection Agency (CalEPA) has revised 976 of the 1500 most commonly used chemical inventories to reflect the new 24 federal hazard categories. Each of the revised 976 pre-populated chemical inventories are now accessible in CERS and ready for use.

CalEPA is working towards obtaining the appropriate new federal hazard categories for the remaining 524 chemical inventories as revised Safety Data Sheets reflecting the new federal hazard categories were not readily available from the chemical manufactures. For additional information, please reference:

- Background: The CalEPA Adopts the 24 New Federal Hazard Categories for use in Chemical Inventory Reporting of Annual 2018 Hazardous Materials Business Plan (HMBP) Submittals in CERS (<https://cers.calepa.ca.gov/wp-content/uploads/sites/61/2018/04/CalEPA-New-Federal-Hazard-Categories-1.pdf>)
- Announcement: 2018 Hazardous Materials Inventory Reporting to Include the 24 New Federal Hazard Categories (<https://cers.calepa.ca.gov/wp-content/uploads/sites/61/2018/04/Announcement.pdf>)

The CalEPA Regulated Site Portal Combines Regulated Site and Facility Information

In 2017, the California Environmental Protection Agency (CalEPA) provided public access to the Regulated Site Portal (<https://siteportal.calepa.ca.gov>), a web-based tool that collects and displays environmental data from various electronic reporting sources. By combining data from a variety of state and federal databases, the Regulated Site Portal provides an overview of regulated activities across the spectrum of environmental programs for any given facility or location in California. Such regulated activities include hazardous materials and waste management, state and federal cleanups, impacted ground and surface waters, and toxic material release reporting.

The CalEPA Regulated Site Portal was created to provide a single holistic view of activities regarding statewide regulated facilities. The searchable database and interactive map make available the location, chemical inventory and regulatory

information such as inspection and enforcement actions for over 230,000 regulated facilities and sites. Query results can be viewed online, printed as a report, or exported for use in further analytical activities. Information within the Regulated Site Portal is updated on a daily basis as data is generated from various independent data sources that are updated at different time intervals.

State Water Board

Single-Walled Underground Storage Tank Closure Initiative Workshops

The State Water Resources Control Board (State Water Board), with assistance from the United States Environmental Protection Agency (U.S. EPA), has developed the Single-Walled Underground Storage Tank Closure Initiative (Initiative) to maximize the number of single-walled underground storage tanks (USTs) permanently closed prior to the December 31, 2025 deadline. The Initiative intends to educate UST owners/operators on funding opportunities through the Replacing, Removing, or Upgrading Underground Storage Tanks (RUST) Program and the UST Cleanup Fund.

Educational workshops were held in Alameda on March 26th, Alhambra on April 20th and Bakersfield on April 26th this year. These workshops included presentations by State Water Board staff from the UST Leak Prevention Unit on design, construction, and closure requirements; the RUST Program on loan/grant funding opportunities available to assist eligible small business owners/operators; and the Cleanup Fund on funding available to assist eligible owners/operators with cleaning up petroleum-related contamination.

The State Water Board is currently preparing a webinar to present the Initiative information to those who could not attend the workshops. The webinar link will be provided shortly. The webinar time is provided below. Registration is not required.

Date: Friday, May 11, 2018

Time: 10:00 a.m. to 1:00 p.m.

Webinar Speakers: Tom Henderson, Janice Clemons, and Bridget Freeborn

For questions regarding the Initiative or upcoming webinar, please contact Ms. Brittany Baugher at Brittany.Baugher@redhorsecorp.com or (619) 241 4609 ext. 857 or Ms. Grasiela Gama at Grasiela.Gama@redhorsecorp.com or (619) 241 4609 ext. 857 or Mr. Tom Henderson at Tom.Henderson@waterboards.ca.gov or (916) 319 9128.

CERS Violation Library

The State Water Board has proposed changes to the California Environmental Reporting System (CERS) violation library. These changes are the result of upcoming amendments to California Code of Regulations, Title 23, Division 3, Chapter 16 (California UST Regulations). The proposed violation library has been preliminarily reviewed by the California Environmental Protection Agency (CalEPA) violation library workgroup and the Certified Unified Program Agencies (CUPAs). Currently, the proposed changes are under review by the CUPA Forum Board. The State Water Board will be providing regular postings with each UST Monthly Update and will develop guidance for the CUPAs once the violation library has been finalized.

If you have any questions regarding changes to the violation library, please contact Mr. Tom Henderson at Tom.Henderson@waterboards.ca.gov or (916) 319-9128.

Revised U.S. EPA Reporting Requirements

The State Water Board is working with the CalEPA to address enhancements to CERS and ensure data collection and reporting to U.S. EPA are successful. Changes to the significant operational compliance reporting (Report 6) are the result of upcoming amendments to the California UST Regulations required by the 2015 revisions to 40 Code of Federal Regulations, part 280.

As the California UST Regulations are finalized over the next months, the State Water Board will be developing guidance for the CUPAs regarding the new inspection and reporting criteria. Additionally, the State Water Board will be providing regular postings with each UST Monthly Update.

If you have any questions regarding changes to the performance reporting criteria, please contact Mr. Tom Henderson at Tom.Henderson@waterboards.ca.gov or (916) 319-9128.

Proposed Underground Storage Tank Regulations

The 15-day public comment period for the modified proposed UST amendments ended on April 11, 2018 at 12:00 p.m. Non-substantial changes and changes solely grammatical in nature were made to the modified proposed UST amendments. All changes, including changes due to comments received, are identified and discussed in the Final Statement of Reasons. The next step is for the State Water Board to consider a resolution adopting the proposed amendments to the California UST Regulations to make them at least as stringent as the 40 Code of Federal Regulations, part 280.

The agenda for the Board Meeting to adopt the amendments will be provided shortly. Any person interested in receiving this agenda may subscribe to Board Meetings under GENERAL INTERESTS at the website below:

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

The proposed rulemaking package is available at:

https://www.waterboards.ca.gov/water_issues/programs/ust/adm_notices/fed_rec_regs.

If you have questions regarding this matter, please contact Mr. Cory Hootman at (916) 341-5668 or Cory.Hootman@waterboards.ca.gov.

Corrosion Observation Online Reporting Tool

The Association of State and Territorial Solid Waste Management Officials' (ASTSWMO) Emerging Fuels Task Force created an online reporting tool for submitting information on UST system corrosion observed during inspections and removals in the field. It is well known some new fuel formulations are associated with accelerated corrosion, clogged filters, and other side effects. ASTSWMO is attempting to understand the scope of this serious problem nationally.

ASTSWMO is requesting regulators, inspectors, contractors, and owners to use the online reporting tool to document incidences of corrosion. The goal is to assemble national data to identify trends and potential challenges before they require expensive

corrective action. Information submitted may be shared on the ASTSWMO website and will be accessible to the public. The Corrosion Observation Online Reporting Tool can be found on the ASTSWMO web page:

<http://astswmo.org/astswmo-corrosion-observations-tool/>.

DTSC

U.S. Environmental Protection Agency (U.S. EPA) Final RCRA Air Compliance Advisory

In April 2018, U.S. EPA issued a compliance advisory on the reduction of hazardous waste air emissions (Attachment 3). Facilities, such as Large Quantity Generators, are likely to generate or manage some hazardous wastes that contain volatile organic chemicals. The advisory highlights facilities' responsibilities and recently observed compliance concerns. The advisory focuses on the RCRA air emissions standards found in 40 Code of Federal Regulations 265 Subparts AA, BB, and CC. The California Title 22 air emission standards can be found in Title 22, Chapter 15:

- Article 27- Process Vents (section 66265.1030),
- Article 28- Equipment Leaks (section 66265.1050), and
- Article 28.5- Tanks, Containers, Surface Impoundments (section 66265.1080)

CAL FIRE – Office of the State Fire Marshal (OSFM)

Tanks in Underground Areas (TIUGA)

With the full definition of a TIUGA becoming effective July 1, 2018, the OSFM APSA website (<http://osfm.fire.ca.gov/cupa/apsa>) now contains the following updated TIUGA information:

1. A manual of the laws and regulations specific to TIUGAs, incorporating requirements from Health and Safety Code Chapter 6.67 and the 2016 California Fire Code (Note: The fire code requirements on TIUGAs become effective July 1, 2018);
2. An information bulletin to clarify the exceptions to 2016 California Fire Code, Section 5703.6.2.2; and
3. A revised fact sheet/guide on TIUGAs.

APSA and CERS

Help materials that address the following common APSA-related CERS questions are posted on CERS Central at <https://cers.calepa.ca.gov/about-cers/help-materials/> (scroll down to the APSA section):

- Do I have to file an Aboveground Storage Tank Facility Statement if I have already reported a Hazardous Materials Business Plan?

- Is My Facility Regulated under APSA? How do I know if my facility is regulated under APSA and what types of aboveground storage tanks, containers, and equipment are regulated under APSA?
- Should I file a Spill Prevention, Control, and Countermeasure (SPCC) Plan in CERS?

Facilities No Longer Regulated Under APSA

If a facility was previously regulated under the APSA Program and is now no longer subject to the APSA Program, the facility owner or operator is no longer required to make a CERS APSA submittal. Since the facility is no longer regulated under the APSA Program (which means the answer to the question in CERS Data Field ID8 is now “NO”), the facility owner or operator is not required to make any APSA submittal to CERS. The document upload feature in the CERS APSA submittal is specifically for uploading a Tank Facility Statement (if a hazardous materials business plan is not submitted to CERS) or for uploading other locally required APSA Program documentation. Any CERS submittal under the APSA Program will indicate that the facility is being regulated under the APSA Program, regardless of whether or not the facility is truly regulated under the APSA Program.

CalEPA is interested in your comments and suggestions regarding the Unified Program monthly newsletter. Please provide your comments and suggestions to: cupa@calepa.ca.gov.