Unified Program Newsletter – August 2019

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CalEPA

How are CERS Users Notified When Services are Down?

When the California Environmental Reporting System (CERS) services are down, users may experience a temporary outage in Business and Regulator portals of the production and training environments, as well as in the regulator staging portal (used for testing electronic data transfer).

A loss in CERS services could be the result of system upgrades or maintenance.

In the event that the CERS services are down, CalEPA will provide notification to CERS users as follows:

1. The CERS Technical Team will post a notification message regarding the status of CERS services on the **CERS Central Home** page (public

website). The message on the CERS Central Home page will be located just below the Business and Regulator portal sign in buttons.

2. CalEPA will distribute notification as an email via the "**Unified Program Managers"** and **"CUPA Managers" ListServ** distribution lists. Anyone can subscribe to either of these ListServ distribution lists at: https://calepa.ca.gov/calepa-listservs/. If ListServ services are unavailable, CalEPA will utilize the email addresses associated with all Business and Regulator CERS user accounts.

2019 Violation Library Updates Live in CERS: September 4, 2019

Revisions to the Violation Library citations in CERS are now available in the CERS Staging and Testing environments for data services vendors and CUPAs to commence testing of inspection and enforcement information via Electronic Data Transfer (EDT) and compatibility with facility inspection checklists. The only Unified Program elements with revised citations are as follows: Underground Storage Tank, California Accidental Release Prevention and Aboveground Petroleum Storage Act (APSA). The revisions to the Violation Library citations in CERS are scheduled to go live in the Production and Training environments on September 4, 2019. EDT vendors and CUPAs that are directly involved with EDT implementation should subscribe to the EDT Implementers ListServ

(https://cers.calepa.ca.gov/listserv-subscription/).

For questions, please contact: cers@calepa.ca.gov.

State Water Board

Report 6 Due September 1, 2019

The State Water Resources Control Board (State Water Board) has distributed the Report 6 forms and instructions to all Unified Program Agencies (UPAs) for the reporting period January 1 through June 30, 2019. UPAs must submit Report 6 documents to State Water Board staff no later than September 1, 2019. Inspection data used to complete the Report 6 should consist only of Technical Compliance Rate (TCR) performance measures. The "paper" Report 6 must be submitted by UPAs that have not transitioned to paperless reporting. UPAs approved for paperless reporting must run their Report 6 in CERS, verify their data, and submit a certification form to the State Water Board by the September 1, 2019, deadline. CERS 3.0 Underground Storage Tank (UST) Program Reports now include Report 6 data totaling routine inspections and TCR violations. The State Water Board encourages those UPAs who have not been approved for paperless reporting to continue working to correct their data. To request paperless reporting for the next reporting period, see the Underground Storage Tank Report 6 Paperless Reporting Requirements for more information.
(https://www.waterboards.ca.gov/ust/adm_notices/paperless_reporting_requirements.pdf)

See the [Report 6 and United States Environmental Protection Agency Compliance Measures](https://www.waterboards.ca.gov/ust/leak_prevention/report_6.html) for more information.
(https://www.waterboards.ca.gov/ust/leak_prevention/report_6.html)

For more information regarding Report 6, please contact Mr. Steven Mullery at (916) 341-5850 or by email at Steven.Mullery@waterboards.ca.gov, or Mr. Tom Henderson at (916) 319-9128 or by email at Tom.Henderson@waterboards.ca.gov.

Informational Document Regarding Designated UST Operator Requirements

On July 16, 2019, the State Water Board UST Leak Prevention Unit distributed through the UST Program's Email Distribution System (known as Lyris) an email with an informational document attached regarding designated UST operator (DO) requirements. The informational document assists UST owners, operators, DOs, and regulators understand how to comply with the new DO requirements that became effective October 1, 2018. The informational document is presented in a question and answer format that can be easily updated as new questions arise. It is important to note the content contained in the informational document in many instances supersedes previous State Water Board guidance documents. At the end of the informational document is a list identifying which State Water Board documents have superseded content.

Informational documents regarding the emergency generator tank system line leak detection, overfill prevention equipment inspection, spill container testing, secondary containment testing, and new construction, upgrade, and compatibility requirements have been distributed through Lyris and are posted on the UST Program's [Federal Reconciliation Regulations](https://www.waterboards.ca.gov/water_issues/programs/ust/adm_notices/fed_rec_regs) webpage under "Staying Connected."
(https://www.waterboards.ca.gov/water_issues/programs/ust/adm_notices/fed_rec_regs)

To receive these informational documents and other important UST Program information please subscribe to the [UST Program's Lyris email distribution](https://www.waterboards.ca.gov/resources/email_subscriptions/ust_subscribe.html).
(https://www.waterboards.ca.gov/resources/email_subscriptions/ust_subscribe.html)

For more information regarding DO requirements, please contact Mr. Tom Henderson at (916) 319-9128 or by email at Tom.Henderson@waterboards.ca.gov or Mr. Cory Hootman at (916) 341-5668 or by email at Cory.Hootman@waterboards.ca.gov.

International Code Council Begins Administering the Revised California Specific UST Exams

The International Code Council (ICC) began administering the revised California specific ICC UST exams August 1, 2019. Specifically, the California UST Inspector, California UST Service Technician, and California UST System Operator exams were revised to reflect changes in UST statute, regulations, and reference materials. The revisions include, but are not limited to; issuance of UST operating permits, red tag requirements, and overfill prevention equipment inspection requirements. In addition, the references used to study for these exams have been updated to include the most recent published editions. The exam references located on the UST Program's

California UST System Exam References webpage have been updated with the latest ICC UST exam reference materials.
(https://www.waterboards.ca.gov/water_issues/programs/ust/training/exams.html)

For more information regarding the revised California specific ICC UST exams, please contact Mr. Cory Hootman at (916) 341-5668 or by email at Cory.Hootman@waterboards.ca.gov.

Adoption of the Proposed UST Regulations for the Storage of Diesel Containing up to 20 Percent Biodiesel

The proposed UST regulations for the storage of diesel containing up to 20 percent biodiesel (B20) were adopted at the August 6, 2019, Board Meeting. The adopted UST regulations amends California Code of Regulations, title 23, division 3, chapter 16, article 3, sections 2631 and 2631.2. The proposed amendment to section 2631 recognizes B20 as an equivalent to diesel stored in double-walled UST systems, unless any material or component of the UST system is determined not compatible with B20. The adopted amendments also delete section 2631.2, which provides a temporary variance for biodiesel blends from June 1, 2009, to June 1, 2012, because it is inoperative. The next step is to submit the completed rulemaking package to the Office of Administrative Law (OAL) for review and approval before filing with the California Secretary of State.

A copy of the resolution adopting the proposed biodiesel regulations will be posted on the State Water Board's 2019 Resolutions webpage shortly.
(https://www.waterboards.ca.gov/board_decisions/adopted_orders/resolutions/res19.html)

More information on the rulemaking package is available on the UST Program's Proposed Biodiesel UST Regulations webpage.
(https://www.waterboards.ca.gov/water_issues/programs/ust/adm_notices/bio_regs/)

For more information regarding the adopted UST Biodiesel Regulations, please contact Mr. Cory Hootman at (916) 341-5668 or by email at Cory.Hootman@waterboards.ca.gov.

DTSC

Final Regulations: Determining the Initial Penalty for Each Violation (Amending Section 66272.62)

On October 5, 2017, Governor Edmund G. Brown signed AB 245, making amendments to Health and Safety Code sections 25188, 25189 and 25189.2. The amendments made by AB 245 increased the maximum administrative and civil penalty for hazardous waste violations in California from $25,000 to $70,000 per violation per day of violation. This change made the maximum penalty under statute, $70,000, inconsistent with the maximum penalty under regulation, $25,000.

On July 5, 2018, OAL approved an emergency rulemaking action submitted by DTSC to amend section 66272.62, Determining the Initial Penalty for Each Violation. The

emergency rulemaking increased penalties in regulation uniformly with a maximum penalty of $70,000, matching statute. On December 31, 2018, and April 3, 2019, OAL approved re-adoptions of the emergency regulation. On June 24, 2019, OAL approved the Certificate of Compliance submitted by DTSC, making permanent regulatory increases in the minimum-to-maximum initial penalty amount for violations of laws related to hazardous waste control and disposal.

For additional information, please go to https://dtsc.ca.gov/regs/initial-penalty-regulations/

2019 Verification Questionnaire Report Cycle Now Open

The 2019 Verification Questionnaire report cycle is now open. The Verification Questionnaire is completed through the electronic Verification Questionnaire (eVQ) System. The eVQ System provides a fast and convenient way for hazardous waste handlers to complete the required annual EPA ID number verification and fees assessment to maintain the active status of their EPA ID numbers. Handlers that need assistance with the Verification Questionnaire can email eVQ@dtsc.ca.gov or call 1-877-454-4012, Monday - Friday from 9:00 a.m. to 4:00 p.m. (PDT).
(C:\Users\CGill\Desktop\CalEPA Newsletter Submissions\evq.dtsc.ca.gov)

CUPA Access to the Transporter Quarterly Report (TQR) System

CUPAs can request access to the TQR System by sending an email to TQR@dtsc.ca.gov. On the subject line of the email, please write "Access to TQR Database". The following reports are available:

1. TQR Submitted by Transporter – Lists transporters that submitted their quarterly report for a specific reporting period.

2. TQR Detail Report
   - By Manifest – Provides a list of generators, waste type, and quantity for a specific manifest.
   - By Waste Category or Waste Code – Provides a list of manifests for a specific waste stream.
   - By Shipment Date – Provides a list of manifests for a specific date/date range.

3. Summary Report – For a specific transporter, provides the summary of waste type and total quantity for a specific date/date range.

4. TQR Generator
   - Eligibility – This report identifies ineligible generators for consolidated manifests.
   - Listing – This report identifies a list of generators per transporter.

5. Transporter List by Generator - Identifies a list of transporters per generator.

6. Generator Manifests by Jurisdiction - Lists all generators for consolidated waste within a geographic region.

New DTSC Website Links to Commonly Used Factsheets

Factsheets: All https://dtsc.ca.gov/publications-index/

Hazardous Generator Requirements: https://dtsc.ca.gov/wp-content/uploads/sites/31/2018/06/HWM_FS_Generator_Requirements.pdf

EPA Id Numbers: https://dtsc.ca.gov/wp-content/uploads/sites/31/2018/02/OAD_EPA_ID_FS.pdf

Accumulation Time for Generators: https://dtsc.ca.gov/wp-content/uploads/sites/31/2018/02/FS_OAD_Accumulation.pdf

Used Oil: https://dtsc.ca.gov/wp-content/uploads/sites/31/2018/02/RAG-UsedOilforGenerators.pdf

Used Oil Filters: https://dtsc.ca.gov/wp-content/uploads/sites/31/2018/02/RAG_Used-Oil-Filters_Generators1.pdf

Used Oil Filter Advisory: https://dtsc.ca.gov/wp-content/uploads/sites/31/2018/02/AdvisoryUsedOilFiltersMarch2017Final.pdf

Spent Lead Acid Batteries: https://dtsc.ca.gov/wp-content/uploads/sites/31/2018/02/FS_DutyOfficer_LeadAcidBatteries1.pdf

Load Checking at Solid Waste Facilities: https://dtsc.ca.gov/wp-content/uploads/sites/31/2016/01/HWM_FS_LoadChecking_Landfills.pdf

Spent Batteries at Solid Waste Facilities: https://dtsc.ca.gov/wp-content/uploads/sites/31/2018/02/Management-of-Discarded-Batteries-Fact-Sheet-09282016.pdf

Managing Empty Containers: https://dtsc.ca.gov/wp-content/uploads/sites/31/2018/02/Managing-Empty-Containers.pdf

HHW: (just web page): https://dtsc.ca.gov/universalwaste/household-hazardous-waste/
- HHW Inspection checklist: https://dtsc.ca.gov/wp-content/uploads/sites/31/2016/01/PHHWCF_Insp_Checklist_2010.pdf

Universal Waste: https://dtsc.ca.gov/wp-content/uploads/sites/31/2016/01/UW_Factsheet1.pdf

Consolidated Manifesting Generator requirements: https://dtsc.ca.gov/wp-content/uploads/sites/31/2018/06/HWM_FS_SB271_Gen_Req1.pdf

Generator Summary Chart: https://dtsc.ca.gov/wp-content/uploads/sites/31/2018/05/California-Generator-Chart.pdf

DTSC Staff Directory

The staff directory is no longer available on DTSC's website. To find contact information for a DTSC employee, you can click on the following links:

CalEPA Agency-Wide Directory: https://agency.calepa.ca.gov/StaffDirectory/default.asp?VW=LST&TP=LST&SL=F&BDO=0

California On-Line Directory: https://cold.govops.ca.gov/

Violations Scoring Procedure

The Violations Scoring Procedure (VSP) regulations became effective January 1, 2019, and they require DTSC to comprehensively evaluate each hazardous waste facility's compliance history as part of the permit decision-making process. The VSP regulations establish a systematic process for evaluating and characterizing a hazardous waste facility's compliance with substantive hazardous waste management requirements.

The VSP regulations are meant to incentivize facilities to improve compliance performance and reduce the number of violations, which over time will result in better protection of public health and the environment. The regulations will also foster a better understanding of permitting decisions. Details can be found at https://dtsc.ca.gov/violations-scoring-procedure/.

Scrap Metal Recycling Webpages

DTSC published new webpages geared towards metal recyclers. Development of these pages is part of a DTSC effort to increase enforcement of and outreach to metal recycling facilities in California. The webpages will serve as a centralized location for information on hazardous waste laws and regulations that generally apply to facilities engaged in scrap metal recycling. The webpages provide information on appliance and vehicle recycling, links to universal waste and electronic waste webpages, as well as guidance, factsheets and additional resources.
(https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fdtsc.ca.gov%2Fscrap-metal-home%2F&data=02%7C01%7C%7Cb37d552dd39947e082e208d71cde6f48%7C3f4ffbf4c7604c2abab8c63ef4bd2439%7C0%7C0%7C637009613991929551&sdata=cIeKdeD21Juyis571Xs8LcbkaQLuYiZ8vUtAiYFpl%2BM%3D&reserved=0)

Cal FIRE OSFM

CalFIRE Website

CAL FIRE has recently launched its new website to comply with state accessibility requirements per Assembly Bill 434. Certain OSFM website links, including the APSA and fire code Hazardous Materials Management Plan (HMMP) and Hazardous Materials Inventory Statements (HMIS), have been removed. New links to the APSA and HMMP-HMIS programs will be made available once they meet the accessibility requirements.

In the interim, if you want a document previously posted on the OSFM APSA or HMMP-HMIS website, such as the Tier II Qualified Facility SPCC Plan template, farm fact sheet, or guide on tanks in underground areas, you may contact OSFM staff at cupa@fire.ca.gov.

The online APSA Basic Inspector Training course is still available to UPA staff or inspectors. If interested, email the OSFM staff at cupa@fire.ca.gov and include the following information in the email:
- Name,
- Name of your UPA,
- Email address and phone number, and
- Name of your supervisor or manager, and cc them in your email.

For others interested in APSA training, visit the San Diego County CUPA website at https://www.sandiegocounty.gov/content/sdc/deh/hazmat/hmd_apsa/hmd_tier_1_template_course.html for free online training on 'How to Prepare Your Own SPCC Plan.' You may also visit the California CUPA Forum training library at https://calcupa.org/training/training-video-library.html for additional training on various Unified Program topics.

References or links to information cited in this newsletter are subject to change. CalEPA is interested in your comments and suggestions regarding the Unified Program monthly newsletter. Please email your comments and suggestions to: cupa@calepa.ca.gov.

CalEPA Unified Program Home Page