

Unified Program Newsletter – November 2022

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CalEPA

Quarter 1 Fiscal Year 22/23 Transmittal Reports Due

Thank you to the CUPAs that returned their Q1 FY22/23 Transmittal reports and fee payments by the Oct 31st reporting deadline.

If you have not sent your Transmittal Report to the Unified Program yet, please do so right away.

As a reminder, please send a copy of your Transmittal Report to the CUPA@Calepa.ca.gov email as well as the hard copy Transmittal Report along with the fee check to the ARB Accounting PO Box 1436, Sacramento, CA 95812.

Please contact Carla Bohon at Carla.Bohon@Calepa.ca.gov if you have any questions about completing your Transmittal Report form.

EPA ID Validation Project

Summary

The CERS Environmental Protection Agency (EPA) ID Validation Tool went live on August 28, 2022. The IT team is, and will continue to, monitor the implementation, and install enhancements to improve the tool. Analysis of submitted data shows the system is experiencing the anticipated failure rates. Less than 40 sites have required a manual override on the EPA ID validation since the implementation of the tool.

Since the beginning of October

- 1,084 facilities failed to complete manual validation when prompted with the warning message.
 - ~50% of these sites pass the validation and require the user to complete manual validation.
 - The other 50% fail to validate due to a variety of reasons including but not limited to address errors and inactive EPA ID numbers.
- 310 facilities declined to select an EPA ID: 310.
- 402 facilities failed validation due to an inability to find an EPA ID in HWTS: 402.

How do I know if a site Validated their EPA ID number in CERS?

There are currently three different prompts that enable tracking of validation issues in CERS outlined below:

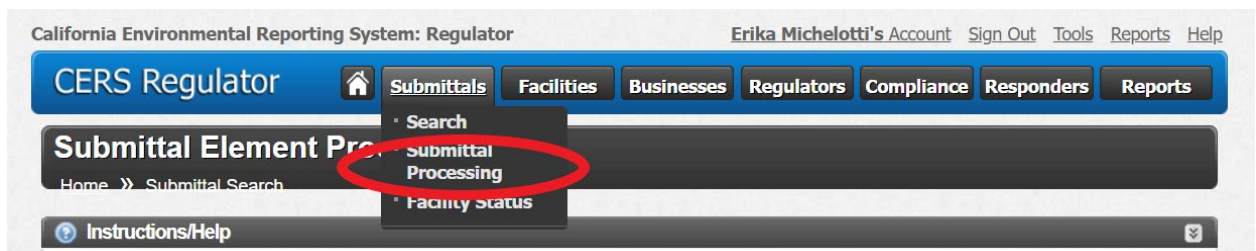
1) Failure to manually validate EPA ID number

In some cases, the match between HWTS and CERS is not sufficient to automatically pass validation. To ensure the EPA ID is correct when a facility creates a new submittal they will receive the following warning, “The EPA ID number is not valid for the Facility name and location provided. Please validate the EPA ID on your Business Activities form.”



The EPA ID number is not valid for the Facility name and location provided. Please validate the EPA ID on your Business Activities form

If a facility fails to manually validate the EPA ID the notification will be included with the submittal. An inspector can see this warning reviewing facility submittals through the submittal processing portion of CERS.



Submittal Element Processing
Home >> Submittal Search

Instructions/Help

Because the last accepted submittal elements form the basis of most CERS reports/downloads, **always process submittals in chronological order.**

Search Submittals


Regulator: California Environmental Protection Agency (Unified Program) Status: Submitted + Under Review

CERS ID: Facility Name: Starts with Facility ID/Key:

City: ZIP Code: Change Type: --All Change Types--

Element: --All Submittal Elements-- Local Facility Grouping:




Submittal Date: 1/1/2012 To: 11/5/2022 Show Hidden Submittals Search Clear

CERSID	Address	Submitted	Change Type	Submittal Type	Submittal Status	Last Accepted
		06/05/2019 	<input type="radio"/> First Submittal	Facility Information (hide)	Submitted Change Status	


2) Mismatch between CERS and HWTS

When the system cannot match HWTS and CERS a warning will be displayed which states, “No Federal or State EPA ID match was found on DTSC’s Hazardous Waste Tracking System for the Hazardous Waste Generator’s facility (CERS ID: xxxxxxxx). Either a Federal EPA ID (If monthly RCRA waste generated exceeds threshold) or a State EPA ID is required for all Hazardous Waste Generators. Request an EPA ID at <https://dtsc.ca.gov/apply-for-hazardous-waste-epa-id-number/> or contact your CUPA for assistance.” The warning will be included with the submittal. An inspector can see this warning reviewing facility submittals through the submittal processing portion of CERS.

Submittal Guidance

All (1)  Required (0)  Warning (1)  Advisory (0)

Warning guidance let you know of issues that probably apply to you, but are not required to resolve before submitting the **Facility Information** submittal element.

 No Federal or State EPA ID match was found in DTSC’s Hazardous Waste Tracking System for the Hazardous Waste Generator’s facility (CERS ID: [10188781]). Either a Federal EPA ID (if monthly RCRA waste generated exceeds threshold) or State EPA ID is required for all Hazardous Waste Generators. Request an EPA ID at <https://dtsc.ca.gov/apply-for-hazardous-waste-epa-id-number/> or contact your CUPA for assistance.

3) Failure to select an EPA ID number

When a facility fails to select an EPA id number a notification is generated in CERS for the regulator. This enables CUPAs to see a list of submittals that do not have a validated EPA ID number for this reason.

To see these notifications log into the CERS. On the bottom of the Regulator Portal home screen select the “View all Notifications” button.

Regulator Notifications [View All Notifications](#)

The short list of most recent Regulator Notifications has been removed to improve the speed of the Regulator Home Page. You can view [All Notifications](#), or select a facility, business, or regulator and select the Notifications link on the left to see Notifications specific to that entity.

Version 3.08.0010 | Enhancements | CERS Central | Diagnostics | Conditions of Use | Privacy Policy | Contact | Help

California Environmental Reporting System: Business | © 2022 California Environmental Protection Agency
CERS Technical Support: [Request Technical Assistance](#)

To view only EPA ID notifications select the notification type “EPA ID Not Selected By Business.”

Notifications
Home

[Instructions/Help](#)

The list below displays all *Notifications* about Facilities, Businesses, and Submittals that may apply to you based on the regulator(s) you are associated with plus any businesses your account may be directly associated with as a business user.

Icon Legend

- Urgent, Occurred > 30 Days.
- Urgent, Occurred < 30 Days.
- Normal Priority, general information.
- Low Priority, general information.

Search Options

Keyword OR Phrase:

Regulator:

CERS ID:

Occurred In:

Priority:

Notification Type:

CERS will display a list of submittals without a validated EPA ID including the business name, CERS ID, and date of submittal.

For questions, please contact Erika Michelotti at Erika.Michelotti@CalEPA.ca.gov.

EPA ID Numbers – Universal Waste Generators

Universal Waste Handlers that do not accumulate 5,000 kg of non-RCRA UW do not need an EPA ID number (RCRA or CA).

If they (businesses) are also exempt from HMBP, DTSC does not expect them to be regulated by the CUPA.

A CUPA still may find a store or bank or business that has some UW at their facility, but unless they are over the CESQWG limits, less than 100 Kg of RCRA HW or RCRA UW, they would not have to notify DTSC or comply with the UW notification requirements.

Universal waste only generators, exempt from HMBP should answer “No” to the Business Activities Page Question: “Does your facility generate Hazardous Waste?”

Local Facility Grouping in CERS

Regulators can set this optional field to locally-relevant values that would group their facilities as necessary for local purposes. A possible implementation might include

assigning some type of “district” identifier to group facilities for inspection purposes, or some kind of text indicating on what schedule groups of facilities should report their Business Plan submittal element(s).

The text cannot exceed 20 characters and is searchable on the Facility Search page. CUPA lead regulators can chose to add/edit values to this field from a facility's summary page or using a bulk upload tool from the Tools menu.

California Environmental Reporting System: Regulator Erika Michelotti's Account Sign Out Tools Reports Help

CERS Regulator Submittals Facilities Businesses Regulators Compliance Responders Reports

Facility Search Home > Facility Search

Search

CERS ID	Facility Name	Submittal Element	Reporting Requirement
<input type="text"/>	Starts with <input type="text"/>	--Any Submittal Element--	--All Statuses--
Facility ID/Key	Facility Street Address	City	ZIP Code
<input type="text"/>	Starts with <input type="text"/>	<input type="text"/>	<input type="text"/>
EPA ID Number	Last Submittal Date Range	<input type="checkbox"/> Limit To Remote Facilities	<input type="checkbox"/> Limit To Small Quantity Generators
<input type="text"/>	<input type="text"/> to <input type="text"/>	<input type="checkbox"/> Local Facility Grouping	
County	Regulator		
All Counties	-- All Regulators --		

Search

CERS NextGen

- **Visit our new project webpage!**

CalEPA has published a new online information resource on the CERS NextGen project. The new [CERS NextGen webpage](https://cers.calepa.ca.gov/cersnextgen/) is available on CERS Central. CalEPA will use this webpage to broadcast updates about the project timeline, answer questions about impacts to CUPAs and Businesses, and allow stakeholders to subscribe to a new CERS email list.
(<https://cers.calepa.ca.gov/cersnextgen/>)

- **Upcoming CERS NextGen presentations and town-hall meeting**

CalEPA will host the first of many townhall sessions about the CERS NextGen project starting this December. This presentation will focus on the future interfaces with CERS NextGen.

The presentation will be offered on three days:

- Monday, December 12, 2022
- Tuesday, December 13, 2022
- Wednesday, December 14, 2022

Please visit the new CERS NextGen webpage to register for your preferred date.

Next Up – CUPA Boundary Survey

What's New?

- (1) On Wednesday, November 16, the CUPA GIS Project Team will conduct a **Town Hall** with CUPA Managers to share important project information and provide a demonstration of the upcoming CUPA GIS Boundary Survey.
- (2) **The CUPA GIS Boundary Survey** will be available November 21, 2022, through December 16, 2022. Each CUPA will access the survey to view and confirm if their boundaries and the boundaries of their PAs are correct.
- (3) Access the [CUPA GIS Project Webpage](https://cers.calepa.ca.gov/cupagis/) to view Frequently Asked Questions, project communications, and project information. The Project Team will continue to add content to this site throughout the project (including Job Aids, Process Guides, Training for requesting boundary updates, and additional resources).
(<https://cers.calepa.ca.gov/cupagis/>)

What's Next?

- Attend the Virtual Town Hall or request access to the recording if you were unable to attend.
- Watch for email communications and instructions for completing the Boundary Survey.
- Complete the CUPA GIS Boundary Survey in the allotted response window.
- Access the [CUPA GIS Project Webpage](https://cers.calepa.ca.gov/cupagis/) for more information.
(<https://cers.calepa.ca.gov/cupagis/>)

If you have questions about the CUPA GIS Project, we invite you to contact the CUPA GIS Project OCM Team at: Ivan.parra@calepa.ca.gov and Michelle.kirwan@calepa.ca.gov.

State Water Board

Tanks Destined for Specific Reuse

The State Water Resources Control Board (State Water Board) has received numerous inquiries regarding specific reuse of underground storage tanks (USTs) or associated components. Owners and operators are requesting permission to leave a UST or associated piping in the ground after closure for some other operation, e.g., water storage or as part of a storm drain apparatus. Closure-in-place methods must be in accordance with California Code of Regulations, title 23, division 3, chapter 16 (UST Regulations), section 2672(c), to include, removing all residual liquid, solids, or sludges, inerting the tank to prevent explosion due to flammable vapors, removing connected piping, and filling the tank with an inert solid unless the UST will store nonhazardous substances compatible with the previous use and construction of the tank. Please note that connected piping cannot be re-used for any purpose under UST Regulations, section 2672(c)(3).

The State Water Board is aware of several instances of proposed specific reuse where it appears that the owners or operators do not intend to reuse the UST as proposed, but rather are simply looking for a budget closure method. This is inappropriate. Prior to approving reuse under this provision, the Unified Program Agency (UPA) should require the owner or operator to provide appropriate plans or designs demonstrating how the UST will be utilized. For example, if the owner or operator intends to utilize the tank for water storage for fire suppression, the owner or operator should provide the UPA with a workplan demonstrating how this system would assist the local fire department, approval from the local fire department or district, and identify how water stored in the tank will be pumped out and usable in a fire situation.

For additional information regarding tanks destined for specific reuse, contact: Mr. Tom Henderson at (916) 319-9128 or Tom.Henderson@waterboards.ca.gov.

Mechanical Under Dispenser Containment Monitoring Devices

Mechanical float monitoring devices (float trips) can be rendered non-functional by the presence of relatively small amounts of moisture or debris in the under-dispenser containment (UDC), which can cause floats to stick to the sides or bottoms of float reservoirs. UST Regulations, section 2630(d) requires monitoring equipment's to be installed and maintained such that the equipment is capable of detecting a leak at the earliest possible opportunity. Best management practices for facilities using such equipment must include keeping the UDC in a clean and dry condition at all times.

At facilities using equipment of this type, it is essential that designated UST operator visual inspections, required per UST Regulations, section 2716(b)(8), pay special attention to conditions at the bottom of the UDC in and near the float reservoirs and on the mechanical float monitoring devices. Designated UST operator inspections should check for dirt and debris that might impair the equipment's ability to detect a leak at the earliest possible opportunity and confirm that float chains are not detached.

Any adjustments to such monitoring equipment (e.g., chain length or float height) may only be made by a UST service technician qualified pursuant to UST Regulations, section 2715(f). If the manufacturer's installation instructions call for a lead seal to be placed on the chain after it is properly adjusted, service technicians should ensure that such seals are intact and replace any damaged or missing seals when periodic functional testing is performed. Testing must confirm that the flow of product is completely stopped when the shear valve is tripped. Service technicians performing work or testing on these devices must have received training from the manufacturer within the past 36 months.

To properly meet the requirements of UST Regulations, section 2636(f)(1), owners or operators must replace any individual float trip monitoring device that fails to operate on more than one occasion during testing or in operation. UPA UST inspectors should properly document which UDC float trips have previously failed. Any additional failures will require replacement of the float trip device. If the UST owner or operator decides to use the same method of UDC monitoring, all components of the float trip device, to include the housing cup, float, chain, and arm should also be replaced.

For systems where the float trip properly activates, service technicians must perform a nozzle test to verify the shear valve also properly stops flow of the product at the dispenser.

For additional information regarding mechanical UDC monitoring devices, contact: Mr. Austin Lemire-Baeten at (916) 327-5612 or Austin.Lemire-Baeten@waterboards.ca.gov.

Local Guidance 113 Contents

State Water Board staff often receive questions as to why a particular overfill prevention equipment, spill containment or secondary containment have not been approved on [Local Guidance 113 \(LG-113\)](#).

(https://www.waterboards.ca.gov/water_issues/programs/ust/leak_prevention/lg113/)

LG-113 is exclusively for release detection equipment and primary system test methods that have been evaluated by third-party testing organizations for substance compatibility, reaction time, and probability of false alarms. Additionally, the State Water Board does not approve the methods published on LG-113, rather we confirm the methods meet the requirements of chapter 6.7 of the Health and Safety Code (H&SC) and UST Regulations. Listing equipment and methods on LG-113 is intended to eliminate the need for UPAs to review release detection equipment or test methods for compliance with state and federal requirements; however, it is not a blanket confirmation for use of any release detection equipment used in conjunction with any UST system. The guidance does not include overfill prevention equipment, piping, secondary containment structures, or similar equipment.

For additional information regarding the contents of LG-113, contact: Mr. Austin Lemire-Baeten at (916) 327-5612 or Austin.Lemire-Baeten@waterboards.ca.gov.

UST Closure Letters

As part of the Certified Unified Program Agency Performance Evaluation process, State Water Board staff review UST closure documentation, including the UST closure letter issued from the UPA to the owner or operator. State Water Board staff recently

observed several UPAs issuing “No Further Action” closure letters to owners or operators that reference the cleanup requirements in H&SC and UST Regulations.

The UPAs must provide written documentation stating that a UST owner or operator has demonstrated to the satisfaction of the UPA that a UST system has been properly closed by removal or closure-in-place, in accordance with H&SC, section 25298(c) and UST Regulations, section 2672. The term “No Further Action” is required as part of the UST cleanup process in H&SC, section 25296.10 and Article 11 in UST Regulations, identifying when a facility has completed the cleanup process. Using the “No Further Action” term could mislead UST owners or operators that their facility has also completed the cleanup process.

UPAs do not have authority to implement cleanup requirements, per H&SC, section 25283(b)(1)(B). As such, “No Further Action” letters are not appropriate from the UPA. Moving forward, UPAs should exclude cleanup terms or action requirements and citations from their closure letter template to ensure the UPA is approving permanent closure of the UST system in accordance with H&SC, section 25298(c) and UST Regulations, section 2672.

For additional information regarding UST closure letters, contact:

Ms. Jenna Hartman at (916) 327-8563 or Jenna.Hartman@waterboards.ca.gov.

DTSC

U.S. EPA’s Interim Final Rule: Safe Management of Recalled Airbags

The Department of Toxic Substances Control (DTSC) will be hosting a virtual workshop in January 2023 to provide information on U.S. EPA’s Interim Final Rule: Safe Management of Recalled Airbags (Airbag Rule) and its potential adoption in California.

The Airbag Rule provides a conditional exemption from waste management standards for undeployed airbags until the airbags are received at a designated facility. The objectives of the workshop are to provide an overview of the Airbag Rule, discuss DTSC’s evaluation of the rule, and seek input from the public on potential adoption in California.

More information can be found at: <https://dtsc.ca.gov/airbag-waste-management>.

If you have any questions or comments please reach out to James Noss at james.noss1@dtcs.ca.gov.

Cal FIRE OSFM

Aboveground Petroleum Storage Act (APSA) Advisory Committee

The next APSA Advisory Committee will be held on December 5, 2022, at 1:30 pm. An agenda will be posted on the [APSA Advisory Committee website](#) at least 10 days before the meeting.

(<https://osfm.fire.ca.gov/boards-committees/aboveground-petroleum-storage-act-advisory-committee/>)

California Fire Code (CFC)

The 2022 edition of the CFC (California Code of Regulations, Title 24, Part 9) was approved for adoption earlier this year and published this summer. It will become effective on January 1, 2023. The 2022 CFC is based on the 2021 International Fire Code (IFC) with California amendments.

New requirements are addressed for the following:

- Portable generators
- Lithium-ion and lithium metal batteries
- Electrical energy storage systems

There are amendments to existing requirements for the following:

- Hydrogen fuel dispensing facilities (Chapter 23 – Motor Fuel-Dispensing Facilities and Repair Garages)
- On-demand mobile fueling (Chapter 57 – Flammable and Combustible Liquids)

Also, the Piping Standards Table 5703.6.2 now includes standards for “double containment piping” per UL 971A (Outline of Investigation for Metallic Underground Fuel Pipe) and UL 1369 (Aboveground Piping for Flammable and Combustible Liquids).

To view the fire code online, visit the [California Building Standards Commission website](#).

(<https://www.dgs.ca.gov/BSC/Codes>)

Assembly Bill (AB) 2511 (Irwin, Stats. 2022, Ch. 788)

AB 2511 requires skilled nursing facilities to have an alternative source of power for at least 96 hours during any power outage by January 1, 2024. The alternative source of power may include but is not limited to emergency generators using fuel, large capacity batteries, and renewable electrical generation facilities. More information on this bill may be found on the [California Legislative Information website](#).

(https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB2511)

A facility that will be using certain large capacity batteries (such as lead acid batteries) or an emergency generator with fuel as the alternative source of power may be subject to one or more of the following Unified Program elements:

- [Hazardous Materials Business Plan \(HMBP\) Program](#)

(<https://calepa.ca.gov/cupa/lawsregs/hazardous-materials-business-plan-program/>),

- [APSA Program](https://osfm.fire.ca.gov/divisions/pipeline-safety-and-cupa/certified-unified-program-agency-cupa/aboveground-petroleum-storage-act/) (https://osfm.fire.ca.gov/divisions/pipeline-safety-and-cupa/certified-unified-program-agency-cupa/aboveground-petroleum-storage-act/), and
- [Underground Storage Tank \(UST\) Program](https://www.waterboards.ca.gov/water_issues/programs/ust/) (https://www.waterboards.ca.gov/water_issues/programs/ust/).

If your facility is new to the requirements of any of the above Unified Program elements, please contact your local [Unified Program Agency](#) for assistance and additional information.

(https://cersapps.calepa.ca.gov/Public/Directory/)

Question: What are the Kinds of APSA Violations that can be Cited by an UPA?

Answer: In general, if the appropriate Spill Prevention, Control, and Countermeasure (SPCC) Plan has not been prepared or fully implemented in accordance with Federal SPCC rule requirements, then the UPA may cite the facility with relevant violations.

To view the APSA Program violations that may be utilized by an UPA when documenting violations, refer to the [Unified Program Violation Library](#) posted on the website

(https://cersbusiness.calepa.ca.gov/Public/Violations)

Select 'APSA Program' under the 'Violation Program' field and then click on 'Search'. Click on 'View' next to a violation name to see the violation description and citations.

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.

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