

Unified Program Newsletter – September 2024

Contents

CalEPA.....	1
CERS NextGen Project Overview.....	1
SAVE THE DATE – CERS NextGen Town Hall	3
State Water Board.....	3
Request to Submit Abstracts: 27th Annual CUPA Conference.....	3
CUPA Evaluation Process Website Updates.....	4
Reviewing Single-Walled UST Facility Submittals	5
Manufacturer Training and Certification Renewal.....	6
Office of Tank Tester Licensing Webpage Updates.....	6
DTSC	6
Airbag Emergency Re-Adoption Package	6
Save the Date – GIR Training on October 2 and 17.	7
EPA Form 8700-12 Training on the LMS.....	8
Cal FIRE OSFM	8
Aboveground Petroleum Storage Act (APSA) Advisory Committee	8
APSA Program Q&A.....	8
APSA Webinars.....	9

CalEPA

CERS NextGen Project Overview

The technology supporting the California Environmental Reporting System (CERS) is near-end-of-life, and a technology refresh is required. As many of the assumptions and processes that CERS was originally based on are no longer valid or have significantly changed, CalEPA is embarking on the CERS NextGen project to move CERS to a supported platform, streamline processes, and re-align with the overall goals of the Unified Program. CalEPA is going to replace CERS with a cloud-based solution.

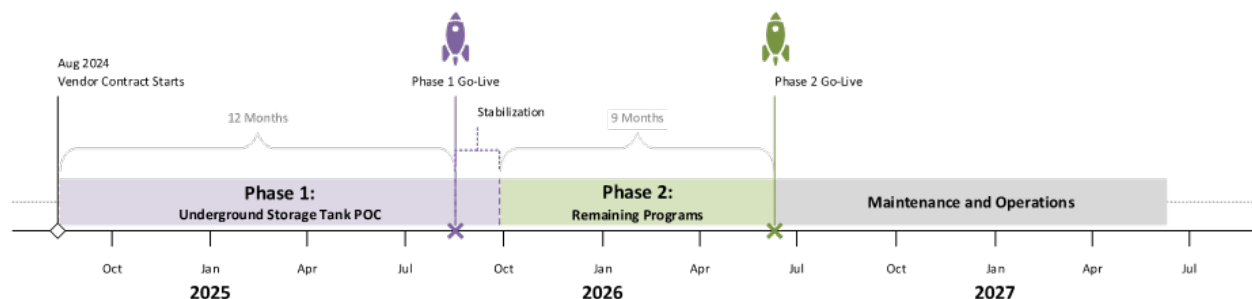
CalEPA is pleased to announce that we have been awarded 4.5 million dollars from the Technology Modernization Fund (TMF) to implement Phase 1. Funding will be utilized to configure a modern user-interface for public-facing digital services that can scale to support additional programs using a Salesforce solution. This includes key NextGen system functionality including:

- Creation of business, facility, and UST records in the system
- Development of the business and regulator user interface
- The reporting (“Submittals”) process of the UST program
- The local regulator’s submittal review and acceptance process
- Compliance activity documentation, monitoring, and return-to-compliance processes

To ensure our proposed requirements will continue to meet regulatory requirements, CalEPA will be splitting the project into two phases. Phase 1 will provide comprehensive functionality for the Underground Storage Tank (UST) Program. The UST program is the most complex program within CERS for data management and has the largest financial impacts through Insurance and/or grant funding. California has historically received significant grant money from US EPA for the monitoring and cleanup of abandoned and leaking USTs. Current statutes require single-walled tanks to be removed by 2025. CalEPA anticipates a spike in the number of abandoned USTs but lacks the technical infrastructure to collect and report the data because the current system is not capable of tracking abandoned tanks. Information pertaining to abandoned tanks is legally required to be tracked as part of the Federal Energy Policy Act of 2005, and annually reported to US EPA.

Phase 1 will establish the technical foundation and functionality for the full replacement system. It will ensure the ability to track abandoned USTs and maintain funding availability. This phase will build out the new data structure and include critical functionality such as, business profiles and submittals, the two-way exchange of UPA data, and regulatory reports. Phase 2 of the Project will add the other five programs to the new system.

Project Timeline



Project Updates

All consulting resources have been onboarded as of August 2024. CalEPA is pleased to be working with the following vendors on this project:

Vendor	Role
Global Touchpoints Inc.	System Integration
RMA Consulting Group Inc.	Organizational Change Management
Crowe LLP	Planning Support
Astute Solutions LLC	Independent Verification & Validation

CalEPA plans to complete requirements validation and begin software development this fall (2024). CalEPA plans to deploy Phase 1 functionality in the Summer of 2025.

SAVE THE DATE – CERS NextGen Town Hall

Join us to learn about the CERS NextGen Project

Who: CUPA Managers

What: Join us for the CERS NextGen Town Hall Meeting

When: Tuesday October 1, 2024, from 10:00 to 12:00

Where: Zoom

How: A registration link will be sent to CUPA Managers

Agenda

1. Project Update, including:
2. CERS NextGen Roles and Responsibilities Overview
3. Project Timeline
4. Action Items and Next Steps
5. Q&A

State Water Board

Request to Submit Abstracts: 27th Annual CUPA Conference

The California Certified Unified Program Agency (CUPA) Forum is requesting abstracts for the 2025 CUPA Conference. Abstracts must be submitted on the [CUPA Forum website](https://calcupa.org/) (https://calcupa.org/) by September 15, 2024. Please note that speaker biographies must be submitted and approved prior to submitting an abstract.

The State Water Resources Control Board (State Water Board) realizes that the time required to prepare and present at the conference is a substantial commitment for UPA management and the individual presenting. UPAs that continue to meet their obligations in addition to providing presentations will be recognized for their outstanding achievements.

For additional information regarding abstracts for the CUPA Conference, contact:
Jenna Hartman at (916) 327-8563 or Jenna.Hartman@waterboards.ca.gov.

CUPA Evaluation Process Website Updates

The State Water Board evaluation staff (evaluation staff) have updated the [CUPA Evaluation Process Website](#) to clarify the State Water Board evaluation process and assist CUPAs in developing and maintaining their UST program.
(https://www.waterboards.ca.gov/ust/leak_prevention/performance-evaluations/)

Evaluation Homepage

A process flow chart with descriptions of each evaluation process has been added to the website. The “Guidance Documents and Templates” section contains a comprehensive list of evaluation processes and components. Additional updates are in progress and will be added as they become available.

Start of Evaluation

- **What Starts with the Notice Letter**

Includes both the Pre-notification and Notification Letter templates for reference and lists the documents the evaluation staff will request as part of the facility file review.

- **Kickoff Meeting**

Details how to prepare for the Kickoff Meeting, and provides the Supplemental Questionnaire discussed in the meeting.

Facility File Selection

- **GeoTracker-Enhanced Leak Detection (ELD) Testing**

Outlines the evaluation staff process using GeoTracker to identify UST facilities located within 1,000 feet of a public water well requiring ELD testing.

Document Evaluation

- **Facility File Review**

Summarizes the documents review process used by evaluation staff during the facility file review and provides examples of potential issues.

Data Review

- **CME Data Review**

Outlines the steps used by evaluation staff to review CERS CME UST Data Download report and the Semiannual UST Program Report (Report 6) and assess the CUPA's inspection, violation, and enforcement data.

Oversight Inspection

- ***What to Expect During an Oversight Inspection***

Discusses the purpose of the oversight inspection, CUPA pre-inspection preparation, and the oversight inspection process. It includes a list of items verified by evaluation staff while observing the CUPA inspector during the compliance inspection.

Report 6 and Compliance Inspection Report

- ***Report 6 – Timeliness of Reporting and Accuracy of Data Provided***

Outlines the required content for Report 6 and emphasizes the importance of timely submission with accurate data and details the review process for Report 6 and the circumstances under which the report may be returned to CUPA for revisions.

UST Closure Procedures

- ***Permanent and Temporary Closure***

Explains the evaluation staff review process for permanent and temporarily closed UST documents, to include the CERS data reviewed.

For additional information regarding the CUPA Evaluation Process website, contact: Michelle Suh at (916) 323-0878 or Michelle.Suh@waterboards.ca.gov.

Reviewing Single-Walled UST Facility Submittals

With the single-walled UST closure deadline quickly approaching it is imperative that UPA's review and set a submittal status for single-walled UST facility submittals in CERS. Single-walled UST facilities that do not have a current and accurate CERS UST submittal will impact Report 6, Energy Policy Act of 2005 (EPA Act) reporting, and the ability to determine if single-walled tanks or piping remain that must be permanently closed prior to December 31, 2025.

UPA inspectors should review a submittal either for completeness if a site inspection has not yet been completed, or after verifying the tank construction and monitoring information during a compliance inspection. Additionally, UPA inspectors must set a submittal status, either accepted or not accepted, after reviewing a submittal for completeness or site inspection verification. For additional guidance, please refer to the CERS Frequency Asked Questions, "[Setting 'Accepted' Submittal Status](https://www.waterboards.ca.gov/ust/cers/ru11_accepted_status.html)" (https://www.waterboards.ca.gov/ust/cers/ru11_accepted_status.html).

For additional information regarding single-walled USTs and CERS submittals, contact: Jenna Hartman at (916) 327-8563 or Jenna.Hartman@waterboards.ca.gov.

Manufacturer Training and Certification Renewal

The State Water Board is aware that some manufacturer training and certifications do not expire, and therefore, completion of a refresher course is not being required by the manufacturer. California Code of Regulations, title 23, chapter 16 (UST Regulations), section 2715(e) and (f) requires all training and certifications issued by a manufacturer to complete a manufacturer's refresher course at a time interval recommended by the manufacturer, but not to exceed 36 months. Service Technicians and UST Installers that have not had manufacturer's training within 36 months cannot install, repair, upgrade, maintain, test, or inspect the equipment from that manufacturer until a refresher course has been completed. Furthermore, UPAs should reject test and inspection results from Service Technicians and UST Installers that have not renewed the manufacturer training. For additional detailed guidance, please reference [Local Guidance \(LG\) 167-2](https://www.waterboards.ca.gov/water_issues/programs/ust/leak_prevention/lgs/docs/lg-167-2.pdf).
(https://www.waterboards.ca.gov/water_issues/programs/ust/leak_prevention/lgs/docs/lg-167-2.pdf)

For additional information regarding manufacturer training and certifications, contact: Jenna Hartman at (916) 327-8563 or Jenna.Hartman@waterboards.ca.gov.

Office of Tank Tester Licensing Webpage Updates

The Office of Tank Tester Licensing (OTTL) has updated [LG-105](https://www.waterboards.ca.gov/water_issues/programs/ust/leak_prevention/lgs/105_12.html) (https://www.waterboards.ca.gov/water_issues/programs/ust/leak_prevention/lgs/105_12.html) on the [OTTL website](https://www.waterboards.ca.gov/ust/tank_testers/) (https://www.waterboards.ca.gov/ust/tank_testers/) to reflect the current list of State Water Board Licensed Tank Testers. In addition to LG-105, the OTTL website offers links to OTTL Regulations, OTTL testing notification forms, and LG-113. The OTTL website also provides licensing information for applicants and study materials for the exam.

For additional information regarding the OTTL website updates, contact: Kaitlin Cottrell at (916) 319-0742 or Kaitlin.Cottrell@waterboards.ca.gov.

DTSC

Airbag Emergency Re-Adoption Package

The airbag emergency re-adoption package was approved by OAL on September 4, 2024. This extends the effective period of the airbag emergency regulations an additional 90 days starting on September 5, 2024, and will expire on December 5, 2024.

The airbag emergency rulemaking amended hazardous waste regulations adding definitions for "airbag waste," "airbag waste collection facility," and "airbag waste handler." It further provides airbag waste handlers with a conditional exemption during the storage and transport of airbag waste to an airbag waste collection facility or a designated facility.

Additionally, DTSC is currently working on a system to disseminate large quantity generator closure notifications (using EPA form 8700-12) to Unified Program Agencies through the Hazardous Waste Tracking System. Stay tuned for further updates.

Save the Date – GIR Training on October 2 and 17.

The DTSC CUPA Training and Assistance Unit will be providing training on the changes brought by the Generator Improvements Rule (GIR).

- October 2, 2024, from 10:00-11:30AM
- October 17, 2024, from 2:00-3:30PM

These sessions will cover the mandatory GIR requirements and regulatory changes that went into effect on July 1st, 2024. The following key topics will be discussed during these trainings:

- Re-notification requirements
- Labeling and marking for containers and tanks
- Special conditions for ignitable or reactive wastes
- Pre-transportation marking
- New large quantity generator closure requirements
- Incompatible wastes in satellite accumulation areas
- Arrangements with local authorities
- Quick reference guides for emergency responders

This presentation is structured to provide an overview of each topic, detailing specific requirements, compliance tips, and best practices to ensure thorough understanding and adherence to the new regulations. The training will also cover some questions which have been asked about these new provisions and the Frequently Asked Questions page.

Join Zoom Meeting for October 2, 2024, 10:00 AM to 11:30 AM:

<https://dtsc-ca-gov.zoom.us/j/83394091517?pwd=vFyAdpHJpPaz0UBgDniM7LXUFpWw8T.1>

Meeting ID: 833 9409 1517

Passcode: 425867

One tap mobile

+16699006833,,83394091517#,,,,*425867# US (San Jose)

+16694449171,,83394091517#,,,,*425867# US

Join by SIP

• 83394091517@zoomcrc.com

Join Zoom Meeting for October 17, 2024, 2:00 PM to 3:30 PM:

<https://dtsc-ca-gov.zoom.us/j/85621810289?pwd=jcP9VbZmqKOpX3a9FZJFG3YOEIZaE9.1>

Meeting ID: 856 2181 0289
Passcode: 561889

One tap mobile
+16699006833,,85621810289#,,,,*561889# US (San Jose)
+16694449171,,85621810289#,,,,*561889# US

Join by SIP

• 85621810289@zoomcrc.com

EPA Form 8700-12 Training on the LMS

More good news! The US EPA Form 8700-12 training from the CUPA Conference 2024 is now live on the Learning Management System (LMS) platform. This training covers all the steps on how to use and submit this form through RCRAInfo. DTSC will be phasing out Form 1358 by December 31, 2025, making it essential to understand how the US EPA Form 8700-12 works. DTSC anticipates the regulated community to require assistance during this transition, making it crucial for inspectors to review this training. The US EPA Form 8700-12 will serve as the main method for renotification requirement, facility closure notifications, and other related functions.

Cal FIRE OSFM

Aboveground Petroleum Storage Act (APSA) Advisory Committee

The next APSA Advisory Committee will be held on October 29, 2024. The agenda will be available at least 10 days before the meeting on the [APSA Advisory Committee website](https://osfm.fire.ca.gov/committees/aboveground-petroleum-storage-act-apsa-advisory-committee) (<https://osfm.fire.ca.gov/committees/aboveground-petroleum-storage-act-apsa-advisory-committee>).

APSA Program Q&A

Question: How frequently can a facility expect an inspection by the Unified Program Agency (UPA) for compliance with APSA?

Answer: It depends.

Health and Safety Code (HSC), Section 25270.5(a) requires the UPA to inspect APSA tank facilities with a petroleum storage capacity of 10,000 gallons or more, at minimum, once every three years. The purpose of this inspection is to determine whether the owner or operator of the tank facility is in compliance with the Spill Prevention, Control, and Countermeasure (SPCC) Plan requirements of APSA.

UPAs may develop an alternative inspection and compliance plan in accordance with HSC Section 25270.5(b). For example, an UPA's alternative inspection plan could establish an annual inspection frequency at APSA tank facilities with a petroleum storage capacity of 10,000 gallons or more, or a triennial inspection frequency at all APSA tank facilities.

Tank facilities that are conditionally exempt from preparing an SPCC Plan under APSA for meeting certain conditions as described in HSC Section 25270.4.5(b) may expect a periodic UPA inspection. The purpose of this periodic inspection is to verify compliance with the conditional exemption per HSC Section 25270.4.5(b).

Additionally, UPAs can also perform other inspections, such as follow-up inspection, reinspection, or a complaint investigation.

Question: How often must the owner or operator of an APSA tank facility perform visual inspections of their aboveground tanks, containers, and equipment?

Answer: Each owner or operator of an APSA tank facility is required to perform periodic tank inspections that comply with the latest SPCC rule requirements (Code of Federal Regulations, Title 40, Part 112). Typically, inspection frequencies for all regulated storage tanks will be detailed in the tank facility's SPCC Plan. The tank facility owner or operator and/or the reviewing or certifying professional engineer must determine the appropriate tank inspection frequency in accordance with good engineering practice and relevant industry standards as part of SPCC Plan creation.

APSA Webinars

Another APSA webinar is coming soon. This next series will be provided by OSFM in early October and will cover farms.

Use the link below to join the webinar on **October 2 at 2:00-2:45 PM:**

[Join the October 2 webinar via Microsoft Teams](https://teams.microsoft.com/join/19%3ameeting_NTM3NTkyYTYtNjMyNi00ZWY2LWJmNmUtNGRmNWEzZjk2ZmNh%40thread.v2/0?context=%7b%22Tid%22%3a%22447a4ca0-5405-454d-ad68-c98a520261f8%22%2c%22Oid%22%3a%2255dd5151-2626-4f47-82ff-87b7f7bc788f%22%7d)

https://teams.microsoft.com/join/19%3ameeting_NTM3NTkyYTYtNjMyNi00ZWY2LWJmNmUtNGRmNWEzZjk2ZmNh%40thread.v2/0?context=%7b%22Tid%22%3a%22447a4ca0-5405-454d-ad68-c98a520261f8%22%2c%22Oid%22%3a%2255dd5151-2626-4f47-82ff-87b7f7bc788f%22%7d

Meeting ID: 214 986 302 579

Passcode: zwpmjq

Dial in by phone: +1 (650) 564-3271

Phone conference ID: 257 811 136#

Use the link below to join the webinar on **October 3 at 10:00-10:45 AM:**

[Join the October 3 webinar via Microsoft Teams](#)

(https://teams.microsoft.com/l/meetup-join/19%3ameeting_MTBiYjMzODItZWY4MS00YjlmLWJjOGMtY2U2NWJmNzkxMjc1%40thread.v2/0?context=%7b%22Tid%22%3a%22447a4ca0-5405-454d-ad68-c98a520261f8%22%2c%22Oid%22%3a%2255dd5151-2626-4f47-82ff-87b7f7bc788f%22%7d)

Meeting ID: 219 189 098 348

Passcode: wJB7iw

Dian in by phone: +1 (650) 564-3271

Phone conference ID: 322 227 046#

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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