



Manager's Workshop

M-D2 10:00 a.m. – 4:45 p.m.

March 20, 2023



25th California Unified Program
Annual Training Conference
March 20 – 23, 2023



Agenda

CalEPA ER, HMBP & CalARP Information/Updates
CalEPA Unified Program Information/Updates
OSFM APSA Information/Updates
State Waterboards UST Information/Updates
DTSC Hazardous Waste Information/Updates
CUPA Forum Board Information/Updates



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CalEPA Updates Emergency Response, Hazardous Materials Business Plan, and California Accidental Release Prevention Program Updates

Presented by:

John Elkins - Environmental Program Manager

Elizabeth Brega - Senior Environmental Scientist, Supervisor



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Emergency Response Updates

- **2022 Wildfires**

- Fairview Fire, Riverside County
- Fork Fire, Madera County
- McKinney Fire, Siskiyou County
- Mill Fire, Siskiyou County
- Mosquito Fire, Placer & El Dorado County
- Mountain Fire, Siskiyou County
- Oak Fire, Mariposa County





Emergency Response Updates

- **2022/2023 Weather Events**
 - September 2022 Heat Wave
 - Tropical Storm Kay
 - December/January Winter Storms
 - March Winter Storms

Emergency Response Updates

- Humboldt Earthquake
- Avian Flu
- Perris Valley Styrene Release
- Kinder Morgan Pipeline
- Tonga Volcanic Eruption



Hazardous Materials Business Plan (HMBP) Program Updates

- AB 2059
- AB 480
- Contiguous properties
- Hand sanitizer

California Accidental Release Prevention (CalARP) Program Updates

- Program 4 Guidance Document
- CalARP Steering Committee

HMBP/CalARP Unit Updates

- Website
- Staffing
- Section 100: non-substantive changes to Title 19 to reflect transition of the HMBP/CalARP programs from Cal OES to CalEPA
- Inspection and enforcement authority

CalEPA Unified Program Update

John Paine, Program Manager

916-327-5092

John.paine@calepa.ca.gov



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CalEPA Update: UPAAG Strategic Plan

- 2022-2027
- 5 Strategic Goals
 - Equitable Enforcement
 - Leveraging Budgets and Resources
 - Attracting Qualified Staff
 - Influencing Stakeholders
 - Using Technology
- Goal Steward and Goal Teams
- Governance Structure Established



CalEPA Update: Title 27 Regulations

- March 14, 2023 - Regulation Package submitted to OAL
- March 24, 2023 – Proposed Regulations noticed by OAL
 - Begins 45-day comment period
 - Potential subsequent comment periods
- May 9, 2023 – Virtual Public Hearing
- Response to Comments and Final Statement of Reasons
- Final publication by OAL
- Effective Date



CalEPA Update: Title 27 Regulations

Key Changes

- Progressive Enforcement Defined
- Procedures for issuing Unified Program Facility Permit
- Local ordinance reporting requirements required to be documented in CERS
- Inspection and Enforcement Plan - inspection process for each program element that includes pre-inspection, on-site and off-site inspections, post-inspection procedures, and re-inspections.
- Procedures to implement a Fee Accountability Program



CalEPA Update: Title 27 Regulations

Key Changes

- Education and Training
 - Education applicable to both CUPAs and PAs
 - Grandfather clause
 - Refresher training – Triennial
 - Contractors must meet the education and training requirements



CalEPA Update: Title 27 Regulations

Key Changes

- CUPA to State Reporting
 - New Surcharge Transmittal Report Form – requires CERS NextGen to be reported
 - Surcharge Transmittal Report submission required quarterly
 - Annual Single Fee Summary Report – requires CERS NextGen to be reported



CalEPA Update: Performance Evaluations

- Steering Committee Established
- Process Improvements
- CFB Evaluation Representative
- Positive Environment / Relationship



CalEPA Update: Enforcement

- CalEPA & USEPA MOU
- Multi-jurisdictional Cases and Alerts
- Guidance documents
- CalEPA Complaint System



CalEPA Update: CUPA to State Reports

- Annual Single Fee Summary Reports
- Surcharge Transmittal Reports
- Formal Enforcement Summary Reports
- UST Report 6



CalEPA Update: **CERS 3.0**

- EPA ID Validations
- GIS UPA Boundaries
- System Refresh
- Local Ordinances – Reporting Requirements



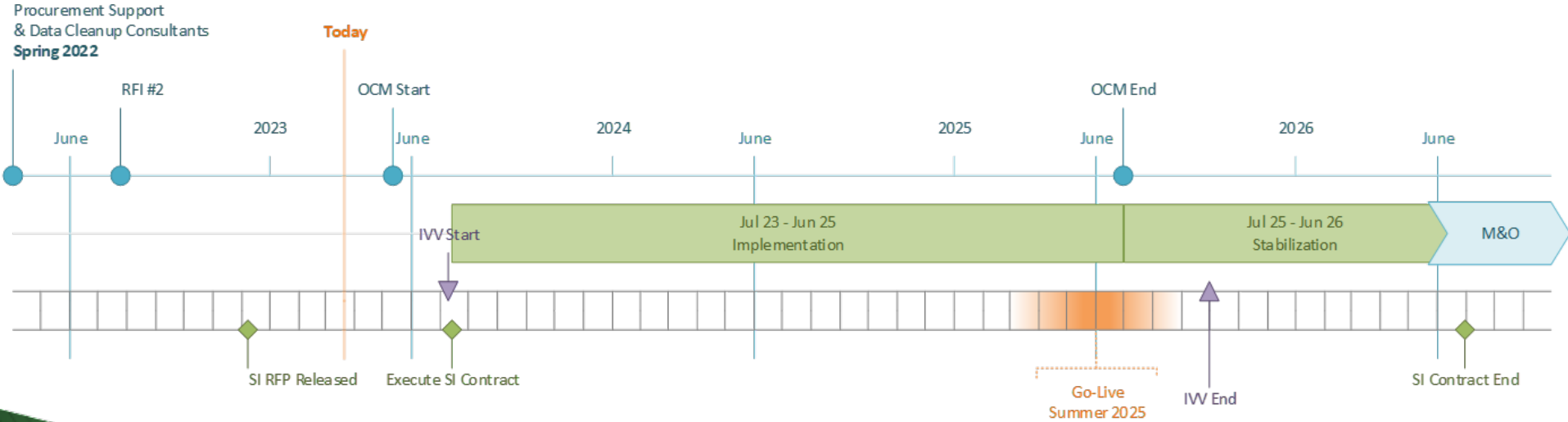
CalEPA Update: CERS NextGen

Overview

- CERS NextGen replaces the current CERS 3.0 application with a new Information System
- NextGen will be a SaaS/PaaS product.
- The project includes the migration of data from CERS to CERS NextGen
- Interfaces with CERS NextGen will require updates to current CUPA systems (Concurrent Development)



CERS NextGen: Timeline



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CERS NextGen: Key Changes

- Definition of “Facilities” – Address + Owner
- HW Recycling form changed to data entry instead of upload
- “Compliance Activities” – Expansion to “Inspections”
- All facility filing done through CERS NexGen
- Modified Submittal Process
- Submittal Due Dates
- Eliminate Emergency Response Tab
- Required / New Data Fields
- RTC Records & Submission Process
- Submittals moved to “Profile” Data
- UST Records and Tank Information



CERS NextGen: Data Cleansing

Discovery & Planning



- Develop Project Plan & Timeline
- Develop Work Plan
- Establish Communication Methods
- Identify Stakeholders & SMEs for future engagement

Analysis



- Understand the state of the current Data
- Identify Missing & Duplicate Data
- Identify opportunity for validation of data
- Survey BDOs, CUPAs, and CalEPA Team

Design



- Develop Data Cleansing Plan
- Propose Methodology and systems to ensure quality data (governance)
- Acceptance of the proposed plan

Execution



- Implement the Data Cleansing Plan
- QC/QA User Acceptance Testing
- Updates to business rules and processes

Monitor & Maintenance



- Knowledge Transfer
- User Documentation
- Transfer governance, documentation, and best practices to CalEPA

CERS NextGen: Concurrent Development

- Modifying UPA systems to align with CERS NextGen requirements and capabilities, in parallel to the development of CERS NextGen

Purpose

- Identify System Impacts
- Plan for Changes
- Timing
- Scope
- UPA Systems only, no businesses
- System Integrator will not 'touch' UPA systems



CERS NextGen: Concurrent Development

Concurrent Development Next Steps

- Start discussions with your solution support teams
- Review the Final CERS NextGen Requirements on Cal eProcure
- Quarterly town halls starting in the Summer of 2023

Project Info Page:	https://cers.calepa.ca.gov/cersnextgen/
Project Inbox:	CERSNextGen@CalEPA.CA.GOV
RFP Documents:	https://caleprocure.ca.gov/event/0555/0000025396



CalEPA Update: Valuable Resources

- Regulated Site Portal
- EnviroScreen
- Unified Program and State Agency Websites
 - Landing Page Changes
 - CERS Central
 - Guidance Documents
- CalEPA Newsletter (sign up) – Listserv (make sure you update CalEPA)



CalEPA Update: Training

- Training Matrix Update (Progress)
- Using RSP and EnviroScreen
- Basic Inspector Academy
- Surcharge Transmittal and Annual Single Fee Summary Reports



CalEPA Update: Top 10 List from Industry

Rank	Program	Issue
1*	HW	Lack of electronic system to mail manifests and exceptions letters to DTSC
1*	HW	Lack of DTSC/CUPA support on interpreting requirements
1*	HMBP	Lack of clear interpretation of what waste streams need to be reported in CERS (batteries, treated wood, oil filters)
4	HW	Lack of California alignment with federal Very Small Quantity Generator program causes confusion
5	HMBP	Inconsistency between CUPAs calculations for volume/amount to report in CERS (ex: propane)
6	HMBP	Inconsistent enforcement and double permitting occurs between CUPA and fire department
7	HMBP	Lack of responsiveness to HMBP approvals leads to outdated information being reported within CERS (not the most recent submittal)
8	HW	Lack of time to properly prepare the annual Electronic Waste Report due Feb 1st (Move to March 31st)
9	CUPA	Lack of industry training equivalent to CUPA training
10	CUPA	Lack of consistency with inspection change over (continuity gaps)





BREAK TIME!





Managers Workshop: Update from CAL FIRE – Office of the State Fire Marshal

Jennifer Lorenzo

M-D2

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Agenda

- Regulations
- Training
- CUPA Evaluation

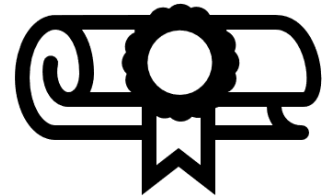


APSA Regulations

- **Coordinating with OSFM Code Development and Analysis Division to adopt by end of 2023**
 - **Includes abbreviated SPCC Plan template for tank facilities with TIUGA and less than 1,320 gallons of petroleum**
- **APSA Advisory Committee – draft regulations review and discussion on April 11, 2023**

APSA Basic Inspector Training

- **Open LMS (November 2017 – March 2021)**
 - 340 UPA staff received a certificate
- **Blackboard Learn (since October 2021)**
 - 138 UPA staff received a certificate as of March 13, 2023
 - Incorporated a field inspection assignment
 - Revised and increased exam questions, including short answers



APSA Basic Inspector Training

- **Training Content Revision**
 - Update up to 13 modules/chapters by end of 2023 to include APSA amendments since November 2017
 - Incorporate regulations adopted in the future



APSA Basic Inspector Training

- **Challenges**
 - Trainees not reading the instructions
 - Modules/chapters to curb speeders complete but not yet implemented
 - Signed exam affidavit course required to certify trainee will not 'cheat,' but unless exam is proctored or in-person, trainees will find ways to curb system
 - If multiple trainees from same agency take exam on same day, must be proctored by supervisor or manager that signed the exam affidavit form

APSA Basic Inspector Training

- **Challenges**
 - **LMS specific limitations**
 - **Lack of notification to OSFM for 2 of 3 assignments submitted for review/grading**
 - **Inability to go back to any slide of a chapter already completed**
 - **Agency network connections/limitations**



CUPA Evaluation Assessment Checklists

- **Form 1 – Discussion topics with Fire Chief**
- **Form 2 – UPA Facility File Review Checklist**
- **Form 3 – UPA Evaluation Checklist**

<https://osfm.fire.ca.gov/divisions/pipeline-safety-and-cupa/certified-unified-program-agency-cupa/>



Questions?

Chief Jim Hosler, Assistant Deputy Director of Pipeline Safety,
CUPA & AFFF

Jim.Hosler@fire.ca.gov

Jennifer Lorenzo, Sr. Environmental Scientist-Supervisor

Jennifer.Lorenzo@fire.ca.gov

OSFM 'CUPA' at cupa@fire.ca.gov

(916) 263-6300



California Water Resources Control Board UST Leak Prevention

Tom Henderson



Unified Program Conference March 2023

AB 1115

- Industry proposal
- 10-year UST Cleanup Fund Extension
- This does not extend the single-walled UST deadline





CUPA Performance Evaluations

- **What's New to the Evaluation Process**
 - New Web page
 - File Selection Process
 - Min/max
 - RNG
 - Single-Walled UST Centric
 - Templates
 - Data Quality review and training
 - Deficiency vs. Incidental Finding

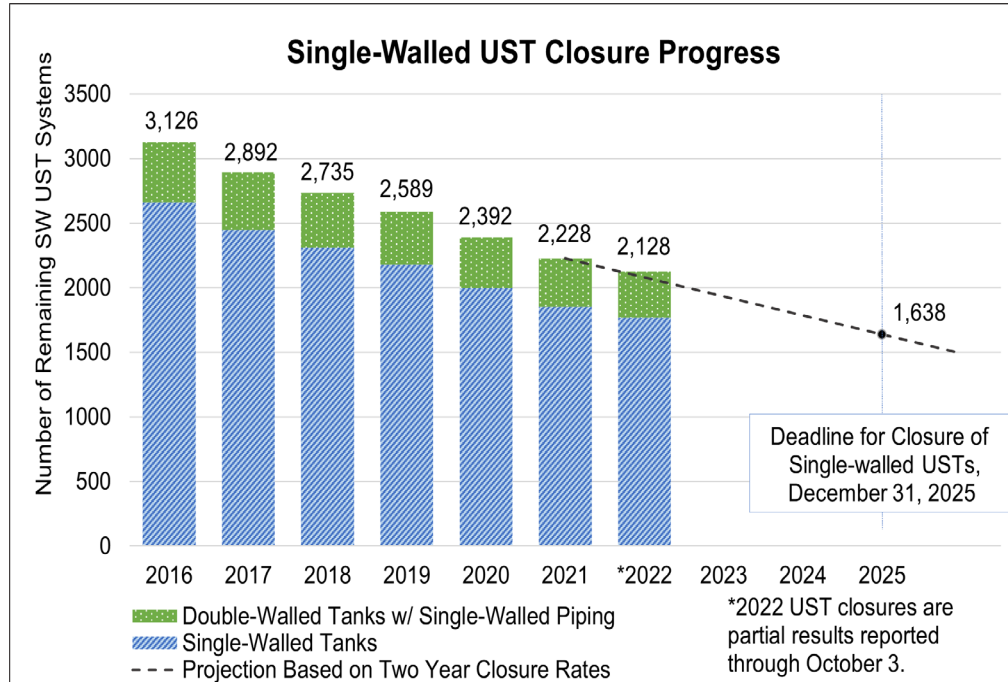


CUPA Performance Evaluations

- **Enforcement**
 - A more significant portion of evaluations moving forward
 - Holistic review of enforcement
 - RTC
 - CME Data
 - TCR
 - Inspection Rate

CUPA Performance Evaluations

Single-Walled USTs



December 31, 2025 deadline

666 facilities with single-walled USTs

1,838 single-walled USTs

535 double-walled UST with single-walled piping

~6% of California UST Inventory

Chapter 16 Rewrite

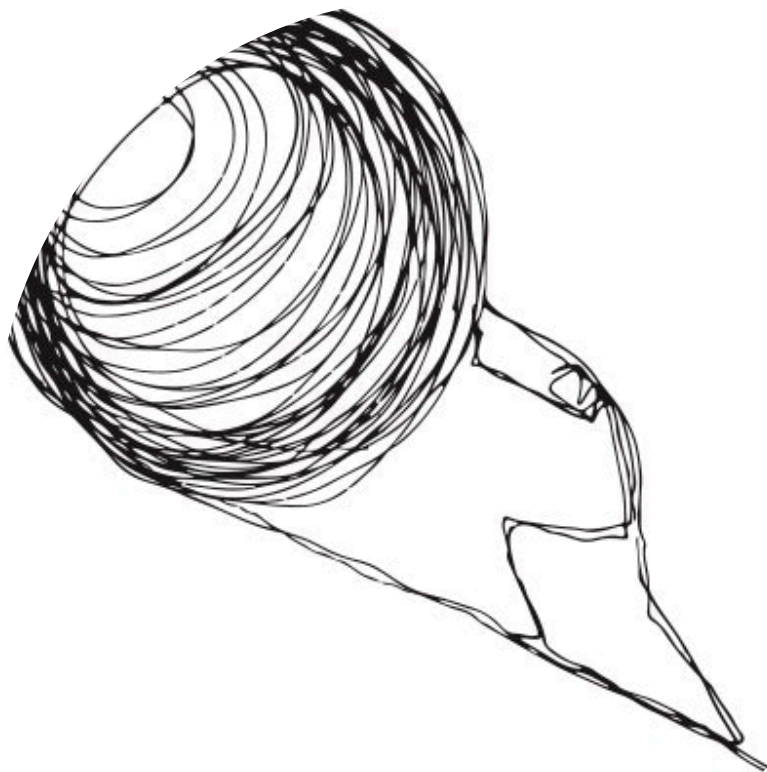


- **This will be a completely restructured document**
- **All citations will change**
 - Require modifications to all referencing docs
 - Permits
 - Web pages
 - Guidance document
 - Local Ordinances
 - Etc.



Report 6

- *Semi-Annual Underground Storage Tank Program Report (Report 6)*
 - UPAs provide facility data, to include the U.S. EPA TCR performance measures
 - All states provide the TCR data to the U.S. EPA
 - National data found here: www.epa.gov/ust/ust-performance-measures
- *Paperless Reporting - 74*
 - Incomplete – 15
- CUPAs submitting late March 2023 – 2
 - Evaluation deficiencies for late Report 6 - 2



Leak Prevention and Tank Tester Licensing

Tom.Henderson@waterboards.ca.gov



DTSC Program Updates

Presented by:

Ryan Miya

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CUPA - ROAD TO 2030

HONORING THE PAST, EMBRACING THE FUTURE



INTRODUCTION

ROYCE LONG, LA CITY FIRE DEPT - CHAIR, CUPA FORUM BOARD

FRED CHUN, SANTA CLARA CITY FIRE DEPT - CUPA FORUM BOARD

2022 – 2023 CUPA FORUM UPDATES



LEGISLATIVE UPDATE

**JUSTIN MALAN -
CUPA FORUM
LEGISLATIVE
UPDATE**



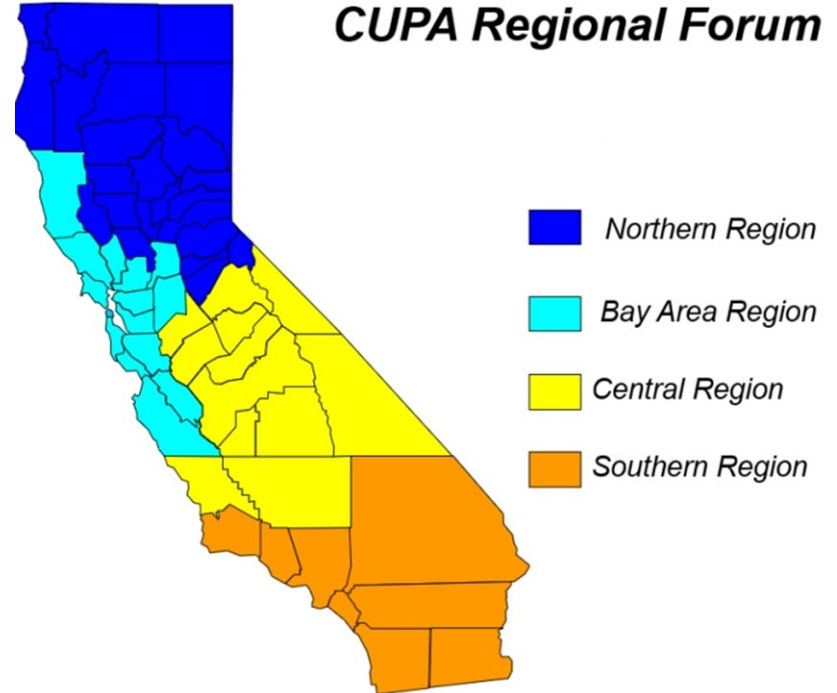
OVERVIEW

- Brief overview about the CUPA Forum Board
- Accomplishments
- What are we working on now
- Future Goals - Road to 2030



CUPA FORUM BOARD

- Each CUPA or PA is a member
- 81 CUPAs and 20 PAs
 - 49 Health
 - 38 Fire
 - 06 Environmental
 - 08 State, Public Works, Ag, JPA, Toxics



CUPA FORUM BOARD

- Each Region Elects Six Board Members
- CCDEH
- Fire Chiefs Association
- Participating Agencies
- E-Board
- Current Challenges with Membership



CUPA FORUM BOARD MEETINGS

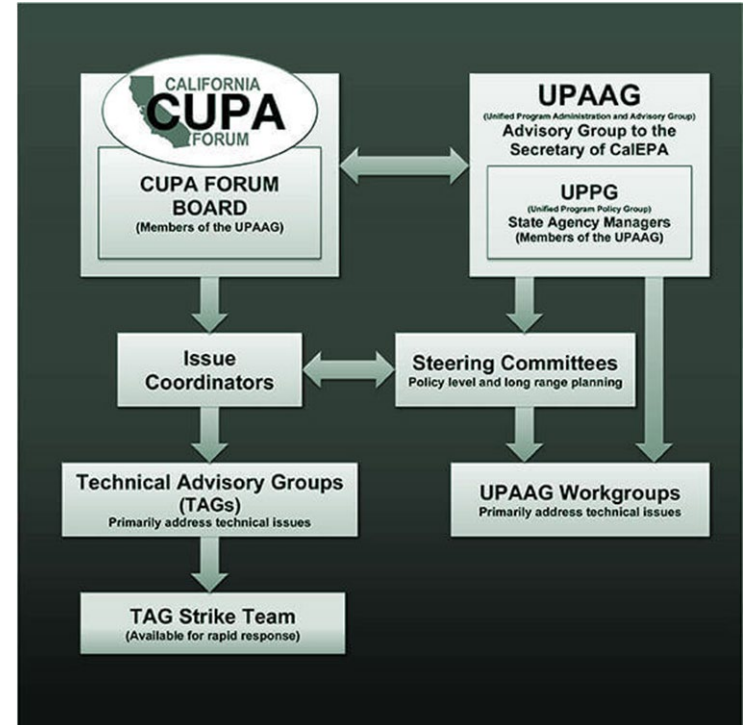
- THE FULL BOARD MEETS 5 TIMES PER YEAR, PLUS A PUBLIC MEETING AT THE CUPA CONFERENCE
 - August, December and March meetings focus on programmatic updates
 - October meeting focuses on legislative proposals
 - May meeting focuses on strategic planning for the next year
- REGIONAL MEETINGS OCCUR EVERY 2-3 MONTHS



CUPA AND CALEPA COORDINATION

■ UNIFIED PROGRAM ADMINISTRATION AND ADVISORY GROUP (UPAAG)

■ CalEPA, BDOs, and CFB



An aerial photograph of a coastal wetland or estuary at sunset. The sky is a gradient of orange and yellow, transitioning into a pale blue. The water is dark, with intricate, winding channels and pools reflecting the light. The land is a mix of green and brown, with some buildings visible on the left side. The overall scene is serene and expansive.

CUPA
RISING ABOVE

CUPA PROGRAM

- Premier environmental regulatory program in the world
- Collaboration and partnerships at all levels
- Different disciplines
- United in our mission



CalEPA
California Environmental
Protection Agency



CUPA PROGRAM BY THE NUMBERS

- Over 27 years of the program
- Over 170,000 regulated businesses in the State
 - 148,000 in the HMBP Program
 - 13,726 in the UST Program
 - 98,000 in the Hazardous Waste Program
 - 17,603 in the APSA Program
 - 2041 in the CalARP Program



CUPA ACCOMPLISHMENTS

INSPECTION AND ENFORCEMENT - FY 21/22

- HMBP Facilities 147,936, 3 yr mandate, 46,466 inspections 32%
- UST Facilities 13726, 1 yr mandate, 13256 inspections, 96%
- HW Facilities 93,766, 3 yr mandate, 32042 inspections, 34%
- APSA Facilities 17,603, 3 yr mandate, 5518 inspections, 30%
- CalARP Facilities 2041, 3 yr mandate, 691 inspections, 34 %

CUPA ACCOMPLISHMENTS

INSPECTION AND ENFORCEMENT - FY 21/22

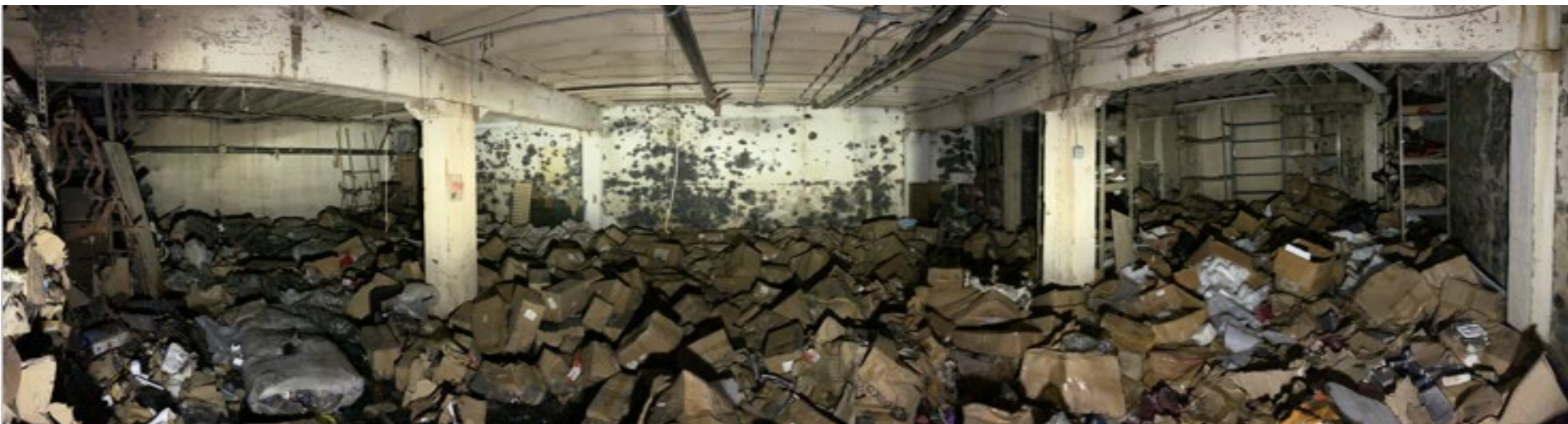
- 58,689 violations issued
- 276 Administrative Enforcement Cases
- 35 Civil/Criminal Cases
- \$2.5M in fines issued (not including statewide cases)
- \$303K SEP Penalties



CUPA PROGRAM ACCOMPLISHMENTS

- AB2059 – Hazmat Record Keeping
 - Retail Exemption Changes for High Risk High Volume
 - Suppliers of Hazardous Materials to Provide Sales Info and Shipping Records
 - Illicit operations to provide shipping records





216 E 3rd St
Los Angeles, California



Street View - Jun 2022

Grace lino Childcare Center



SMOKE SHOP DISTRIBUTOR
213-620-8300



Google



CUPA PROGRAM ACCOMPLISHMENTS

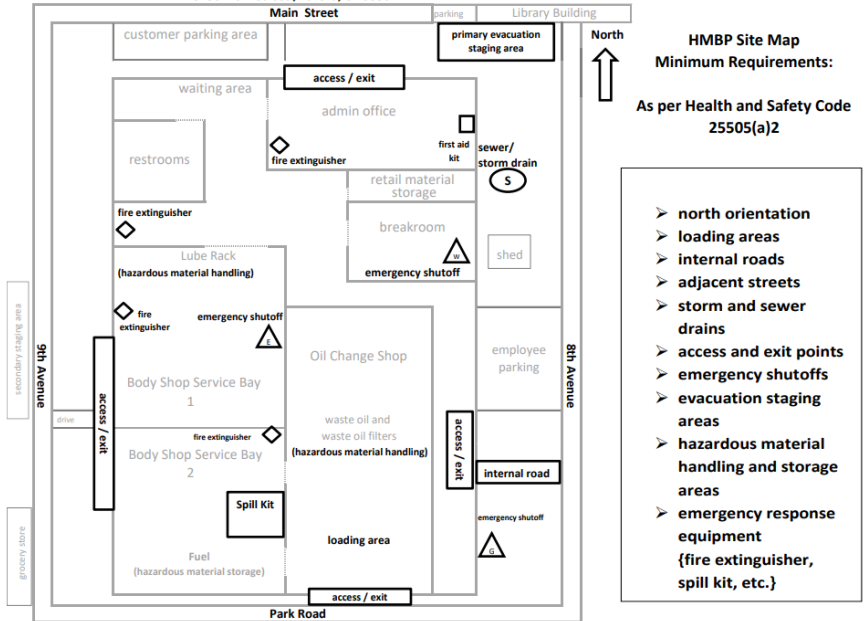
- AB480 – Activity Closures
- Bylaw Review and Changes –
Now All Directors, Jurisdiction
elected not individual
- Trust Projects – Env Protection
Trust Fund
- Industry and State Partner
Engagement



AB1716

- TECHNICAL BILL
- HAZMAT MAPPING CHANGES
- CALARP
- HAZARDOUS WASTE
- UST
- PERMITTING

Sample Hazardous Materials Business Plan Site Map - Automotive Repair Shop 10/8/2014
3456 Main Street., Eureka, CA 95501



CUPA PROGRAM ACCOMPLISHMENTS

- Data validation and verification
 - CERS since 2013
 - Centralized reporting
 - Community Right to Know Act -
 - Standardized violation library
 - Take it one step further – PEAC and ChemResponder (CalEPA)

The screenshot shows the CERS Central website interface. At the top is a navigation bar with the CERS logo, a home icon, and links for 'Contact Us' and 'Settings'. Below this is a secondary navigation bar with icons and labels for 'Businesses', 'Regulators', 'Announcements', 'EDT', 'Resources', 'CERS NextGen', 'About CERS', and a search icon. The main content area features the heading 'CERS Central' and a welcome message: 'Welcome to the California Environmental Reporting System (CERS)'. There are four sign-in buttons: 'Business Portal Sign In', 'Regulator Sign In', 'Business Training Portal Sign In', and 'Regulator Training Portal Sign In'. A yellow box titled 'CUPA GIS' contains text about a project to create a digital map of jurisdictional boundaries for CUPAs and PAs. On the right side, there is a sidebar with the CalEPA logo and a list of navigation links: 'Businesses', 'Regulators', 'Announcements', 'EDT', 'Resources', 'CERS NextGen', and 'About CERS'.

CUPA CONFERENCE – MARCH 20-23, 2023

- 25TH Anniversary
- 138 Training Sessions, 200 Speakers
- 100+ Exhibitors
- 60 Students from 30 different colleges, 40 mentors
- 1250 registered for 2 Free HW Business Classes - NES
- 2345 Registered Attendees!
- 26 Sessions video taped
- REHS and ICC Hours
- Conference Coordinators, Sheryl, Marjorie, Matt, Jason

CUPA STEADY THE COURSE



GOING FORWARD - TRAINING

■ Training

■ Learning Management System

- CEU Training records for members

- Training videos

- Training Matrix

■ CUPA Conference

- Reconnecting at the CUPA Conference



GOING FORWARD – UPAAG STRATEGIC PLAN

■ Strategic Goals

- 1. ATTRACTING AND RETAINING HIGHLY SKILLED STAFF**
- 2. USING TECHNOLOGY TO ACHIEVE STRATEGIES**
- 3. ENSURING CONSISTENT, COMPREHENSIVE AND EQUITABLE ENFORCEMENT**
- 4. EDUCATING AND INFLUENCING STAKEHOLDERS**
- 5. LEVERAGING BUDGETS AND RESOURCES**



GOING FORWARD - LEGISLATION

- Legislation and Regulation Changes
 - Legislative concepts during October offsite meeting
 - Technical Proposal, Input from CCDEH
 - T23 UST and T27 Program Rewrite
 - Spill Reporting Regs – CalOES



GOING FORWARD

CONSISTENCY & COORDINATION

- Evaluation Working Group
- Enforcement Guidelines Series Updates
 - Inspection and Enforcement Plan
 - AEO
 - Violation Library and Checklists



GOING FORWARD – CERS NEXTGEN

- CUPAs, BDOs, Industry, CalEPA stakeholders meetings to help design the new framework
- Go live – July of 2025
- New software platforms for the CUPA's
- New features, looking forward to change from data depository to a smart and automated system



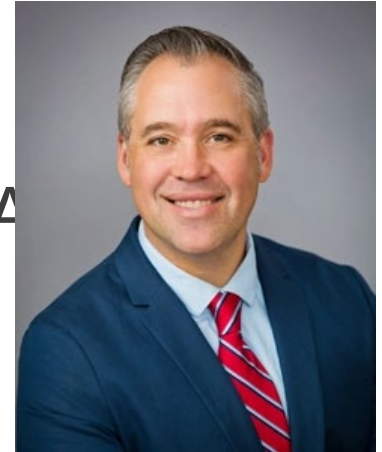
WORKING WITH REGULATED COMMUNITY

- Continue to foster good relationships with our regulated community
- Concern of consistency across the State



WORKING WITH CALEPA

- Assistant Secretary Jason Boetzer
- Bi-Weekly meetings – CFB and CalEPA
- Proactive coordination



CUPA
RISE TO THE CHALLENGES



FUTURE CHALLENGES

- Staffing
- Data/CERS/Rising Cost of Technology
- Battery Technologies
- Workload
- Influencing Stakeholders
- Spill Reporting Regulations
- Evaluation Synchronisation
- Industry Coordination
- Environmental Justice



WHAT ARE YOUR CHALLENGES?



QUESTIONS? THANK YOU

