

# Issue Paper: Potential Approaches to Handling Locally Collected Fields in CERS2

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## Summary

This discussion paper is a follow-up to an issue paper provided at the 10/26/2010 CERS Regulator User Group meeting regarding handling of locally collected fields in the next version of the California Environmental Reporting System (CERS). The discussion below reflects comments received since the meeting and further Cal/EPA staff analysis and recommendations. The issue paper has been organized as a series of questions and answers, and then three proposed approaches/solutions to the issue Cal/EPA could implement in CERS2.

## Discussion

### Q1. What are “locally-collected” fields?

These are data fields about a facility/business collected by some Unified Program agencies (UPAs) to assist them in fulfilling UP and/or local requirements. In general, locally-collected fields are by definition NOT in the UP’s Title 27 Data Dictionary, which lists all fields that are required/collected about facilities/businesses by the UP statewide. Some examples of locally collected fields include business mailing address and employee count. About 15 UPAs provided around 140 locally collected fields they would like considered for inclusion in CERS2 after an August 2010 request from Cal/EPA.

### Q2. What are the mandates in the UP regulations related to locally collected fields?

The UP’s statutes and Title 27 regulations and speak to locally collected fields as follows:

- *CUPAs shall collect, retain, and manage information needed to implement the Unified Program, including but not limited to these regulations and all information defined in the Unified Program data dictionary. (Section 15185(a))*
- *The CUPA may establish local standards for the collection of locally required supplemental information in addition to standards specified in the Unified Program data dictionary. (Section 15185(h))*
- *CUPAs shall collect additional local information on either supplemental pages or within the UPCF in the boxes provided on the Business Owner/Operator Identification page and the Hazardous Materials Inventory-Chemical Description page. (Section 15187(f))*
- *No later than January 1, 2010, the secretary shall establish a statewide information management system capable of receiving all data collected by the unified program agencies and reported by regulated businesses pursuant [...], in a manner that is most cost efficient and effective for both the regulated businesses and state and local agencies. The secretary shall prescribe an XML or other compatible Web-based format for the transfer of data from CUPAs and regulated businesses and make all nonconfidential data available on the Internet. (Health & Safety Code 25404e(2)(A))*

### Q3. What is AB 2286?

This 2008 law requires all regulated businesses and UPAs to use the Internet to file require Unified Program information now filed by paper forms. It also includes UPA data such as inspections and enforcement actions. Businesses and UPAs must implement/use electronic reporting by January 2013. The general goals/outcomes of

AB 2286 were to reduce manual data entry burdens on business/government, increase data collection efficiencies through information technology, and maximize the consistency and accuracy of collected data.

#### **Q4. What is the key issue regarding CERS and locally-collected fields?**

Cal/EPA is currently designing the next version of CERS that will support both web page manual data entry as well as electronic (machine-to-machine) data submittal between businesses, regulators, and Cal/EPA. Successful and cost-effective electronic reporting requires that all data exchanges are fully and rigorously defined in a technical document called an “exchange schema” so programming can replace the decision-making normally performed by humans using manual web pages/forms. Having an ad hoc body of locally collected fields used by some UPAs and not others may preclude Cal/EPA from publishing a single “exchange schema” that can be used statewide by all businesses, regulators, and data management software vendors. Cal/EPA believes providing multiple “exchange schemas” for different UPAs is cost prohibitive and not in keeping with AB 2286 mandates.

#### **Q5. How are multi-jurisdictional businesses impacted by locally collected fields?**

A number of large businesses that own/operate many facilities located in multiple CUPAs want to electronically submit their data directly into CERS (rather than to each UPA’s electronic portal) to reduce (but not necessarily eliminate) their need to interact with each of their facilities’ UPAs. This goal is more achievable for them if they can use a single “exchange schema” for all of their electronic submissions statewide that includes all or nearly all of the data any UPA would want of them.

#### **Q6. Does the Title 27 Data Dictionary include provisions for locally collected fields?**

The Title 27 Data Dictionary specifically defines three fields for locally collected data:

- Field #15, Local Requirements [Business Activities]. Length & type of field currently undefined in Title 27.
- Field #133, Additional Locally Collected Information [Business Owner/Operator Information]. 255 character alphanumeric field
- Field #246 Additional Locally Collected Information [Hazardous Materials Inventory]. 255 character alphanumeric field

These fields were defined more than a decade ago before AB2286 mandates (including XML as the data exchange mechanism). They are too loose/ambiguous to use for electronic data exchange, and would be useless if any type of reporting/statistics were ever needed from the local requirements data.

#### **Q7. Why should CERS include locally collected fields? The UP’s Title 27 Data Dictionary already defines all required fields. Isn’t any other data collection beyond Title 27 outside the scope of AB2286 electronic reporting mandates?**

As indicated earlier, the locally collected fields provided in Title 27 are not usable for electronic (machine-to-machine) reporting. However, the UP’s regulatory language does provide latitude for UPAs to identify and collect locally require information. Some of these locally collected fields involve billing-related data fields that while not mandated by Title 27, are important for UPAs so they can implement billing in a cost-effective manner. Other fields meet local needs that may or may not be directly related to Title 27 and the scope of AB2286 mandates.

## **Q8. CERS1 (& Unidocs) web forms already handle some locally collected fields now. Why are there problems with electronic (machine-to-machine) reporting?**

When a human is entering data manually into web forms, he/she is provided with visual cues from the user interface about what, where, and how to enter the data. In machine-to-machine electronic transfer, all data elements to be transferred must be known and rigorously defined/understood by both the originating and destination parties. As the implementation of AB2286 has evolved, submittal data exchanges are desired/expected between CERS→Regulators, Regulator Portals→CERS, and multi-jurisdiction businesses→CERS(and→Regulators in some cases!). The full implications of the complexities of three-way electronic reporting between businesses, regulators, and Cal/EPA are only now being fully investigated and understood.

## **Q9. Why can't the CERS2 web pages/forms have different fields/requirements than electronic (machine to machine) reporting?**

Cal/EPA staff believes that handling electronic data exchange using separate requirements/arrangement with each of the 117 UPAs is cost prohibitive and not practical.

## **Proposed Solutions**

### **Option 1: CERS2 Does NOT Support ANY Locally Collected Fields**

The CERS2 web pages and electronic reporting would not include any locally collected fields—only fields described in the Title 27 Data Dictionary (or required for general CERS operation). UPAs would need to acquire (and store) any locally collected fields from the business outside of CERS. UPAs could provide instructions and links to their businesses to complete local forms on the CERS “Local” tab. Multi-facility/multi-jurisdictional businesses would be forced to discover/provide locally collected information from each UPA.

### **Option 2: CERS2 Supports a Collection of Local Fields Approved for Statewide Use**

UPAs and Cal/EPA would agree upon a **small** selection of fields that would be requested of all businesses statewide in CERS2 web forms and data exchanges. These fields would be included in a future rulemaking for addition to the Title 27 Data Dictionary. Cal/EPA and the UPAs would need to determine if they have the authority to require completion of these fields by businesses in advance of a rulemaking—if not, CERS2 could not provide a full completeness check for these fields. All of these formerly local fields would be included in the single statewide “exchange schema”, probably reducing the number of special cases multi-facility/multi-jurisdictional businesses would need to handle.

### **Option 3: CERS2 Supports a Moderate Collection of pre-defined Local Fields**

CERS2 would support UPAs selecting from an approved master list of pre-defined, locally collected fields. Businesses for that UPA would be prompted both in the CERS2 web pages and data exchanges that the business should provide data in these fields. All of these pre-defined local fields would be included in the statewide “exchange schema” as optional fields from a **statewide** basis. CERS2 would NOT enforce/validate/audit for values in these fields for a given UPA/business submission. UPAs would need to review each submission to ensure local data is provided (or contact the business to solicit these extra fields). Additions to this master list of local fields would be rigorously reviewed and approved by a state level change management group. For technical reasons, this master list could not ever exceed ~100-150 fields.