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Subject: **DRAFT Issue Paper on CERS Submission Status**

Issue

CERS currently allows the regulator to select from eleven options that are not all truly a submission status to set the status of a business submission. This paper reviews the current options, categorizes them and proposes new submission status options.

Discussion

The current submission status options include:

Accepted	Facility Closed	Field Verified
In Process	Non-CERS Agency	Rejected
Submittal Received	Test	Unreviewed
Inactive	Waiting for Resubmittal	

Several of these do not relate to a submission status. CERS 2 will include some level of data validation and therefore can be a filter to reject or accept submissions before review by the UPA. Facility status is an important criterion but should not be included in the submission status options. Data validation level could be addressed separately from submission status.

There are four different areas for consideration relating to changes from the current submission process to a possible submission process in CERS 2: CERS Submission Validation, UPA Submission Status, Facility Status and Reported Data Quality.

CERS Submission Options:

CERS2 will require certain information in order for a submission to be processed. If that information is not provided the business user will not be able to complete the submission process. This in effect can replace some of the initial UPA submission review that currently occurs in the paper process. The amount of validation provided by CERS can be increased in the future by identifying additional fields required by CERS2 to improve efficiency of the submission process. This would result in UPA staff time savings and a reduction in the likelihood of UPA rejection of a business' initial submission.

CERS would:

- Allow submissions of program elements with completed tier one fields.
 - Note: Tier one fields are yet to be defined in each program element but could initially be limited to a few fields such as business name, facility address, facility owner name and phone, operator name and phone. Tier one fields could be expanded later with

recommendations from the Regulator User Group, following the data change management process adopted by the Data Steering Committee.

- Reject submissions of program elements with missing tier one fields.
- Flag site files that have not submitted required program elements so both business and UPA know submission is missing one or more program elements.
 - Program elements are yet to be defined in CERS. They would include at a minimum each UPA program element but could also include to-be-defined potential sub elements such as Business Activities/Facility Details, Universal Waste when required, uploaded documents, etc.)

UPA submission status options:

UPA submission status options should be specific and applicable only to submissions for active facilities. Submission status options would include:

- Unreviewed: This the default submittal status set by CERS for all initial submissions.
- Rejected: Content is too flawed to meet state and local reporting requirements for the affected program elements
- Submittal Received: Agency acknowledgement that they are aware the business has made a submission. Used to get it off the 'unreviewed' list on the Regulator Home page but does not imply that the agency has acted on the submission.
- In Process: Agency has begun the review process. Does not imply any value or conclusion regarding the content of the submission.
- Accepted: Agency has reviewed the submitted program elements and finds that the data / documents provided appear to meet the state and local reporting requirements. Does not imply that data has been validated by a field inspection or that accuracy of submission has been verified. See Data Quality Options section below.
- Waiting for resubmittal: Agency has completed initial review and found deficiencies that require the business to update and resubmit.

Facility Status Options:

The facility status is necessary for the UPA to know if a facility is active, inactive or closed. This field does not currently exist in CERS. Date fields should be provided to establish when a site became inactive or closed. Note that these definitions could be expanded to include other circumstances at the discretion of the UPA.

- Active: Site is operating and subject to reporting under Unified Program and / or local agency requirements
- Inactive: Site is operating but is not subject to reporting requirements under Unified Program and / or local agency requirements. For example, the site may have hazardous materials below reporting threshold but the agency wants to track them because they had exceeded the reporting threshold in the past and may again at some time.
- Closed: Business operation has ceased and all materials and operations that would have required reporting have been removed and discontinued. Does not imply that the site is free from contamination or that no further regulatory oversight is required.

Data Quality Options:

CERS does not currently include a data quality verification field. Data quality verification will vary widely between UPAs, between inspectors, between program elements and even between fields within program elements. In some cases field verification, such as comparing the submitted chemical inventory with field observations may have substantial value to UPA staff and or emergency responders. In other cases the validation of the data may be less valuable and may be dependent on UPA workload, staffing and internal priorities.

If a data validation field is to be provided the initial selection options could be:

- Data and documents reported to CERS have been verified by UPA field personnel to be consistent with field observations. Chemical hazard property information has been spot checked for accuracy.
- Data and documents reported to CERS have not been field verified. Chemical hazard property information may or may not have been spot checked for accuracy.

Alternatives

1. Delete 'test' and 'non-CERS agency' options and leave the rest of the submission status selection choices as they currently exist. Even if no changes are proposed for CERS 2, these two options should be removed as neither is necessary in CERS.
2. Do not create new facility status fields.
3. Do not create a new data quality verification field.
4. Create new facility status fields and change UPA submission status options to the six referenced above.
5. Create a Data Quality field verification field.
6. Present the issue and recommendations to the Regulator User Group for their input and approval.

Recommendation(s)

I recommend alternatives 3, 4, and 6. UPAs must be able to identify active, inactive or closed sites in their jurisdiction. The level of data validation is of questionable value because of the wide degree of variation and subjectivity that is possible. The regulator User Group can provide recommendations identifying tier one required fields (those that CERS would validate in order for a submission to occur) and could provide other recommendations not considered in this paper.