

CERS Regulator User Group Charter

Approved by vote on 11/29/2010

Background

State law, Assembly Bill 2286 effective January 1, 2009, requires all regulated businesses and all regulated local government agencies, called Unified Program Agencies (UPA), to use the Internet to file Unified Program information now filed by paper forms. This includes facility data regarding hazardous material regulatory activities, chemical inventories, underground and aboveground storage tanks, and hazardous waste generation. It also includes UPA data such as inspections and enforcement actions. All regulated businesses and UPAs in the State must use electronic means for all required filing under the Unified Program beginning on or before January 1, 2013.

The Unified Program Administration Advisory Group (UPAAG) Data Management Steering Committee (DSC) created an Electronic Reporting Work Group in July of 2008 to work on the plan for moving from paper filing systems to an electronic system. In October 2009, the California Environmental Protection Agency Unified Program (Cal/EPA UP) launched a web based electronic reporting tool, the California Environmental Reporting System (CERS), as part of the implementation of statewide electronic reporting under the Assembly Bill. In March 2010 the UPAAG agreed on a new long term governance structure for CERS, which included a CERS User Group and a Change Management Committee. A diagram of the governance structure and a text description is attached. The working group fulfilled its mandate by August 2010 and was sunset. The UPAAG DSC recommended and UPAAG approved the creation of two User Groups, the CERS Regulator User Group and the CERS Business User Group as successor bodies to the work group to provide a mechanism for interested users to have a forum to help provide continuing operation input on CERS. Separate Regulator and Business User Groups were created because their interests related to CERS are substantially different.

Purpose

This charter describes the role of the CERS Regulator User Group (User Group) and provides information for those that are interested to become a member.

Role of the CERS Regulator Users Group

The initial role of the User Group will be to assist Cal/EPA in deciding the priority of previously suggested enhancements to CERS to benefit local and state agencies and the regulated business community. That will be accomplished by reviewing existing requests for enhancements and determining if these will in fact improve CERS for its stakeholders, by providing priority recommendations to assist Cal/EPA in planning CERS upgrades most effectively and by testing new CERS enhancements and providing feedback to Cal/EPA.

The long term role of the User Group is to provide a conduit for input on the ongoing and developing regulator functionalities of the state's CERS application. This includes the User Interface (the web pages), the data exchange structures that will be used by local Unified Program Agencies, internal user reports, expanding or limiting functionality, and other user driven needs. It does not include policy decisions on what information is or is not collected, defining the data dictionary, or setting directions for the Unified Program. Those decisions remain with the existing policy bodies defined in the Unified Program governance.

Members should plan to dedicate several hours per month to working on User Group related activities. Members will be expected to volunteer to assist on work assignments or deliverables outside of regular meeting times. Timeframes for this work will be based on their impact to the overall CERS implementation plan.

To ensure close liaison between the User Group and the Change Management Committee, UPAAG and DSC agreed that two representatives of the User Group selected by the User Group would serve as members of the Change Management Committee.

Structure of the Users Group

The User Group may include up to fifteen voting members from CUPAs, up to 15 voting members from PAs, and up to one voting member per UPA, and up to three voting members from each of the Unified Program-related state agencies (Cal/EPA, SWRCB, DTSC, OSFM, and CalEMA). Software vendors such as Decade, Garrison, and others that provide software to UPAs for Unified Program-related services, may participate in the User group as non-voting members. Other CERS users and stakeholders such as US EPA may participate in this User Group on an ad hoc and non-voting basis. Alternates may vote when voting members are absent provided they notify the Admin Support or Chair in advance of the meeting.

If an elected member withdraws from the User Group a new representative must be selected from the affected stakeholder group. The User Group will have a chair and may elect a co-chair. The Chair and Co-chair shall maintain close communication. For the first year, the Electronic Reporting Work Group suggested that the Unified Program Electronic Reporting Project Manager serve as the chair.

Cal/EPA will provide administrative support for the first year. Meetings will be held on a monthly basis on the second Tuesday of the month except for the first four meetings which will be held biweekly to ensure a rapid establishment of the User Group and to provide representatives to the Change Management Committee as soon as possible. Meetings will be held by conference call or by personal attendance at Cal/EPA headquarters. The chair may call for special meetings or cancel scheduled meetings when appropriate. In the absence of the chair, the co-chair, if elected, will preside over meetings. Chair, co-chair and administrative

support staff shall serve a one year term. The User Group may vote to allow incumbents to serve an additional year up to a total of three years.

Voting Process

All decisions of the User Group will be decided by a majority vote of the User Group members present during the meeting. The chair shall not vote except as a tiebreaker. If members are unable to attend a meeting they may notify the User Group Administrative Support and identify an alternate for the purposes of the vote. Due to the limited timeframe to implement statewide electronic reporting and the ability for members to appoint an alternate, a quorum will not be required. If possible, voting will be done during the meeting using features provided in the webinar software to capture votes accurately.

Policy Decisions

The User Group is not a policy decision making group. When policy issues are identified they will be referred to DSC for consideration and action. Policy decisions that affect the technical aspects of CERS may require that Cal/EPA technical staff pursue solutions concurrently. In such instances, the Cal/EPA Unified Program Manager will be notified and shall determine appropriate actions.

Communication

Except for the first and second meeting, announcements of upcoming meetings shall be performed through a Cal/EPA listserv to which any Unified Program affiliated individual may subscribe. Information regarding the listserv will be provided on or about the time of the first meeting.

Agendas will be distributed through the listserv prior to each meeting. Any member may request to add items to the agenda by email request to either the Chair or the administrative support. The Chair will also endeavor to provide advance notice of action items needed before an upcoming meeting. Non-voting members may participate in any meeting. They may provide input but may not vote. Cal/EPA has provided a section on the CERS Help Wiki for providing information relating to the User Group and to CERS.

Duration of the Users Group

The User Group will play an important role during and after the transition period so at this time there is no anticipated sunset date. The User Group may elect to change any aspects of this charter by majority vote to meet changing circumstances.

Document History

- Oct.2010 Original version drafted by Cal/EPA staff released to Group membership/
- Nov.2010 Revised version released based upon an approved action by the Group membership on 11/29/2010 with modifications to the “Structure of the Users Group” section indicating only one voting member per UPA and up to three voting members per Unified Program state agency.