

# CAL/EPA UNIFIED PROGRAM POLICY MEMORANDUM

	NUMBER: UP-13-02
SUBJECT:  CALIFORNIA ENVIRONMENTAL REPORTING SYSTEM (CERS) GENERAL USE POLICY FOR CERTIFIED UNIFIED PROGRAM AGENCIES (CUPAS) AND PARTICIPATING AGENCIES (PAS)	DATE ISSUED: 1/28/2013
REFERENCES: California Health and Safety Code, Chapter 6.11, section 25404(e).	EXPIRES: UNTIL RESCINDED
	CATEGORY: Electronic Reporting

## STATEMENT OF PURPOSE

This policy covers responsibilities and actions regarding the use of CERS by a CUPA and their PAs, if any.

A separate Electronic Data Exchange policy will be established for any CUPA that intends to use Electronic Data Transfer (EDT) between a local data management system and CERS.

The purpose of this policy is to identify the responsibilities and activities that a CUPA and their PAs, if any, and Cal/EPA will undertake as partners in the use of CERS.

## BACKGROUND

California Health and Safety Code, Chapter 6.11, requires all businesses regulated under the Unified Program and all CUPAs, and their PAs if any, to file Unified Program related data and specified forms electronically beginning January 1, 2013.

The Cal/EPA Unified Program has developed and implemented a state reporting web portal, CERS, which allows businesses to report their regulated information. Some CUPAs may develop their own local business reporting web portals that comply with the reporting standards and offer additional services. Cal/EPA has also developed the standards and deployed the necessary technology to allow for exchanging information between CUPAs local data systems and CERS through EDT.

## ANALYSIS

Electronic Reporting is a new and complex undertaking that will affect every regulated facility and every CUPA and PA. While there are many expected benefits to be derived from electronic reporting, it is essential that Cal/EPA, CUPAs and PAs have defined roles and responsibilities to ensure that statewide electronic reporting operates efficiently and effectively.

## **ACTION PLAN: RESPONSIBILITIES**

- **Cal/EPA Unified Program will:**

- a) Maintain and manage CERS.
- b) Provide regular updates and enhancements to CERS as needed and as resources permit. Updates will be vetted through the defined process using the infrastructure already in place.
- c) Provide help services for CUPAs and PAs primarily via email.
- d) Respond to complex business user technical issues that are forwarded to Cal/EPA by the CUPA or PA staff.
- e) Provide a training site in CERS to aid CUPAs and PAs in training internal staff and to aid regulated business users.
- f) Assist multi-jurisdictional multi-facility businesses (MJBs) in establishing initial business organizations and creating initial lead business users.
- g) Assist CUPAs and PAs in developing an effective method to allow emergency response agencies access to CERS.
- h) Chair the Change Management Committee to manage long term changes to CERS.
- i) Participate when necessary with the Regulator User Group and Business User Group.

- **CUPA, and where appropriate their PA, will:**

- a) Ensure that all regulated facilities report electronically via CERS or a local reporting portal that uses EDT to exchange data with CERS.
- b) Where a local reporting portal is used, ensure that business users are aware that the business user can choose to report to either the local portal or to CERS.
- c) Where a CUPA, or their PA if any, enters required data on behalf of a regulated facility, the facility must approve and the CUPA must maintain a record of the approval.
- d) Train internal staff to use CERS and provide training to business users on how to use CERS.
- e) Respond to emergency responder access requests in a timely manner.
- f) Respond to business requests through CERS or local reporting portal interface in a timely manner defined as:
  - i. Within 2 business days, respond to business access requests whenever there is no established business lead user.
  - ii. Within 2 business days, respond to help questions from business users.
    1. Note: complex issues that cannot be addressed by CUPA or PA staff may be forwarded via email to CERS Technical Support Unit.
  - iii. Within 5 business days, review and act on facility transfer, merge and delete requests.
    1. For MJB requests, contact Technical Support Unit.
    2. Assist business users to merge or delete duplicate facilities, if necessary.
  - iv. Within 15 calendar days, Review and act on submittals.
    1. 'Act' means the submittal status will be changed from 'Received' to another submittal status.

2. Submittals changed to 'not accepted' need to include a text statement explaining reason and actions required.
- g) For MJBs, work with the Unified Program Technical Support Staff Unit to create consistent facility naming and address conventions.
  - h) Control access granted to CERS by the CUPA or PA.
    - i. Authorized users include businesses with facilities in CERS, CUPA and PA staff, local emergency response personnel, Unified Program related state agency staff and US EPA staff related to the Unified Program.
    - ii. Ensure that all users have a singular access account and that no generic access accounts are created.
    - iii. Remove access privileges for staff and emergency response personnel that no longer should have access such as staff that retire, transfer or quit.
    - iv. Notify TSU Help Center immediately whenever unauthorized access is suspected.
  - i) Ensure that any local CUPA or PA reporting requirement is properly listed in CERS.
    - i. Property owner information and number of employees have been included in CERS. CUPAs may request that these be required for their jurisdiction.
    - ii. Other locally collected information requirements and the authorizing local code citations must be provided. If the information cannot be collected in existing fields in CERS a separate form must be created and posted on the CUPA website that will enable a business to download the form, complete it and upload the completed form to CERS as a pdf.
    - iii. Requirements for reporting below state reporting thresholds can be met through the Hazardous Materials Inventory submittal element.
  - j) Respond to public records requests for data from CERS when asked.
  - k) Comply with CERS Regulator Portal Conditions of Use as posted on the CERS website (<https://cersregulator.calepa.ca.gov/Public/ConditionsOfUse>).

## STATUTORY REFERENCES

California Health and Safety Code, Chapter 6.11

### Questions

Please direct questions regarding this policy to [cers@calepa.ca.gov](mailto:cers@calepa.ca.gov).



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Jim Bohon, Assistant Secretary  
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