

Can Submittals be Deleted?

Question: Can submittals be deleted from CERS? What if a submittal was submitted to the wrong facility (CERS ID)? (12/19/2014)

Answer: In general, submittals cannot be deleted from CERS because they are a legal reporting of required information by a regulated facility. A business user who claims that a submittal is wrong can make a new submittal and provide a comment to the regulator that the latest submittal supersedes the previous one but the previous submittal will not be deleted from CERS.

However, there are a couple of exceptions: Occasionally a business user that is associated with more than one facility may accidentally make a submission for one facility (a specific CERS ID) to another (a different CERS ID). This can happen with business organizations that have more than one facility or with consultants that may have more than one client. Or, someone makes a frivolous submittal for a false facility.

In these instances the answer is yes. CalEPA Technical Services Unit (TSU) can delete an incorrect submittal as follows:

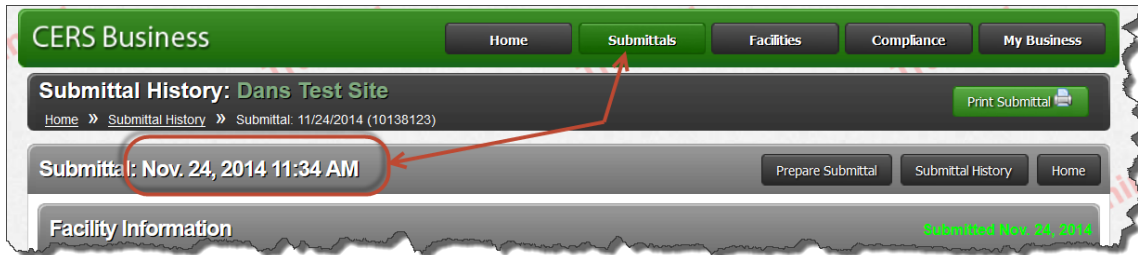
- An authorized business lead user associated with the 'wrong' facility (the one that received the submittal) must make a request by email or in writing to TSU (CERS@calepa.ca.gov) and to their UPA to delete the incorrect submittal.
- The request must identify the incorrect CERS ID where that submittal was made, the date of the submittal and a statement to the following:
 - The submittal made on xx/xx/xxxx at xx:xx am/pm was submitted on the incorrect CERS ID and is not associated with the facility identified by CERS ID xxxxxxxx.
- The UPA must agree by email or in writing to the CERS TSU that the submittal was made to the wrong CERS ID.
- Upon notice from both the business lead user and from the UPA, TSU will delete the submittal within 5 business days. In cases where the submittal determined to be for a false facility and there is no legitimate business user, only the UPA request is necessary.
- TSU will save a pdf copy of the request to delete and the approval of the UPA in the 'Documents' section of the 'wrong' facility (the one that received the incorrect submittal) business organization (see screenshot below).
- Note that even if the UPA has reviewed and changed the submittal status if both parties agree that the submittal was made to the wrong facility it can be deleted based on the fact that the submittal is not associated with the facility.

Rationale: A submittal associated with the wrong facility could create serious potential problems. It would be accessible to emergency responders and if inadvertently used by them as a resource for an incident would provide them with false information about the hazards at the facility. In a public records search it might not be clear to the reader that a particular submittal is not really related to the site. That

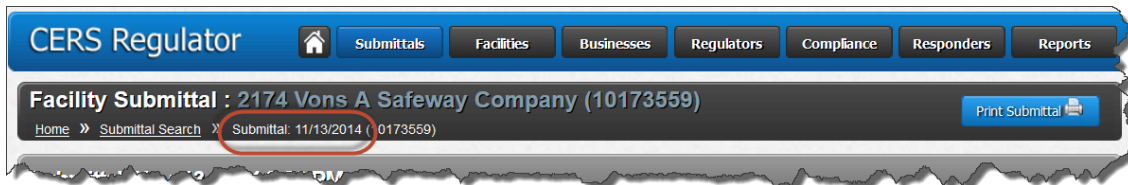
could lead to incorrect assumptions and decisions such as holding a facility accountable for something for which they were not responsible or deciding not to complete a real estate transaction.

The screenshots below show where the business user and the regulator user can find the submittal number.

Business view: Select the incorrect submittal from the Submittals section of CERS and use the submittal date and time in the request to delete.



Regulator view: You can find the incorrect submittal from the Submittals section of CERS or you can first find the facility using the Facilities section to find the site that received the incorrect facility and then select the incorrect submittal.



CalEPA Technical Services Unit will save a pdf copy of the request and the UPA approval in the documents section:

