

Formal Enforcement Summary

FAQ

Does the completion of the Enforcement Summary in CERS sufficiently meet the requirement to submit a formal enforcement report to the Secretary for each formal enforcement case that has received a final judgment within 30 days after a final case disposition as required under CCR Title 27 §15290(c)?

Answer

Not at this time. The Enforcement Summary in CERS closes the inspection/violation/enforcement loop, however it does not provide all information necessary to allow CalEPA to complete their reporting requirements.

The Formal Enforcement Summary Report template includes narrative description of the violation and the final disposition in addition to the general information regarding the enforcement action and cash penalties assessed and collected. Under the Enforcement Summary section of CERS, comments about the violation can be made but it not a required field and often left blank. Furthermore, CERS currently does not currently include a narrative description of the final disposition of the enforcement action. CalEPA, during the CERS 3 development process, may add this capability to CERS so the hardcopy Formal Enforcement Summary Report would no longer be necessary or required.

Until a reporting tool is completed and fully operational in CERS, CUPAs should continue to submit a completed Formal Enforcement Summary. The Formal Enforcement Summary Electronic Reporting Template and form instructions are available at <http://www.calepa.ca.gov/CUPA/Publications/>.