Reporting Escalated Violations in CERS

How should violations raised to a higher class be reported in CERS?

Answer: CalEPA does not require the UPAs to report escalated violations in CERS, such as a Minor violation raised to a Class 2 violation or a Class 2 violation raised to a Class 1 violation with the exception of RCRA Large Quantity Generators where DTSC requires escalating and reporting uncorrected violations as Class 1 violations. UPAs may choose to escalate and report other uncorrected violations as part of their graduated enforcement process.

Reporting Escalated Violations in CERS:

If the UPA wishes to report a higher class violation as a new, separate violation, then create the new, higher class violation and amend the old, lower class violation so the "Actual RTC Qualifier" is set to "Not Resolvable." Provide a comment explaining that the violation was escalated.

If the UPA wishes to report a higher class violation without creating a new, separate violation, then amend the previously reported violation to the higher class. Provide a comment that includes the date the class was escalated. In this process, search for the inspection, find the violation to be raised and click on the edit icon in the right column as shown in the screenshot below.

Regulator Portal users should visit CERS Central or contact CERS Technical Support (cers@calepa.ca.gov) for assistance

Raise the class and provide a brief explanatory comment including the date the violation class was raised in the comment field.

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