

Setting 'Accepted' Submittal Status

What criteria should be considered for accepting a Submittal?

(1/28/2015)

Answer: In CERS 2 the submittal status 'accepted' is used to include a range of submittal reviews. It could be a completeness review that is performed in the office by an inspector or other staff member that may have limited or no direct familiarity with the facility, or it could be a review that is based on an inspection at the facility to validate the information reported is consistent with the observations by the inspector.

Because of this current limitation the comment field should be used to clarify the type of acceptance and to indicate if there are conditions associated with the acceptance.

Completeness Review: The CERS Regulator User Group previously established minimally required submittal fields and documents for a submittal to occur so every submittal must at minimum meet these criteria in order for a submittal to be made in CERS. A completeness review is performed to ensure that the required submittal elements have been reported and that there are no apparent glaring omissions or errors. For example, an HMBP submittal would be reviewed to confirm that the Facility information, HMIS and Emergency Response and Training Plan submittal elements were submitted and that each submittal element appears complete. If the submittal was for a plating shop the reviewer would expect to see a list of plating solutions in the HMIS and a site plan showing the location of plating tanks. If it was a gas station the reviewer would expect to see gasoline listed in the HMIS. If there were also a UST submittal the reviewer could verify that the UST contents and quantities are listed in the HMIS and that there is either a separate UST site plan or the UST site plan information has been integrated into the HMIS site plan. Completeness reviews should typically not be time intensive.

Submittal status options after a completeness review:

- Accept with conditions:
 - Subject to field inspection to be scheduled in accordance with the UPA's existing inspection schedule
 - Subject to correction of submittal errors or omissions and resubmittal within a set timeframe that does not exceed the next regularly scheduled annual inspection
- Not Accept if the submittal is found to be significantly deficient.

Site Inspection Verification: An inspection has been performed and the submittal information has been verified as part of the inspection. If the submittal was previously set to 'accepted' for a completeness review, the inspector can add a comment that the site inspection validated the submittal. If the submittal status had not been previously set the inspector would set the submittal status to 'accepted' and add a comment: Site Inspection on xx/xx/xxxx verified submittal.

Submittal status options after a site inspection verification:

- Accept with no conditions
- Accept with condition:
 - Subject to correction of submittal errors or omissions and resubmittal within a set timeframe that does not exceed the next regularly scheduled annual inspection
- Not Accept if the submittal is found to be significantly deficient.

Using the Comment Field:

Enter the type of acceptance; Completeness review or Site Inspection Verification. Enter any conditions. Enter any other relevant information. Be specific so the business user clearly knows what they need to do. There is a 1,500 character limit so if extensive text is required provide the most critical information in the comment field. Separately send an email or letter and reference it in the comment field.

Changing the Submittal Status

The submittal status can be changed at any time from 'accepted' to 'not accepted'. For example, if a submittal is accepted after a completeness review it can be set to 'not accepted' if a subsequent site inspection verification reveals significant deficiencies. Any time the submittal status is changed an automated notice is sent to the business user. As described below, setting the status to 'not accepted' requires an explanation be provided in the comment field.

Current Submittal Status Options

CERS 2 provides the following choices for setting a submittal status. Additional submittal status options will be considered for CERS 3 to at least differentiate between acceptance based on a completeness review and a site verification inspection

- **Submitted.** Default submittal status set automatically when a submittal is received in CERS. The submittal element was submitted to CERS by the facility's owner/operator and meets minimal data validation requirements. No action has yet been taken by the facility's regulator.
- **Accepted.** Regulator has reviewed the submitted program element and finds the data/documents meet state and local reporting requirements. The Regulator has not necessarily field-verified the submitted data.
- **Not Accepted.** Regulator has reviewed the submitted program element and finds the data/documents do not meet state and local reporting requirements. Regulator has required the business to make a new submission of the submittal element. *Note: CERS requires the regulator provide a comment to explain the reason for this submittal status.*
- **Under Review.** Regulator is reviewing the submittal element. This is an optional status a Regulator can use to express to the facility's business (and other regulators) they are or intend to review a submittal.
- **Not Applicable.** Regulator has reviewed the submittal element and determined it is not required. The business should not submit this submittal element data to the regulator. Submittals marked as Not Applicable will not be included in any CERS2 statistical reports, and businesses/organizations will not receive future reminders/alerts for the submittal element.
 - For the Facility Information submittal, the CERS text states:
 - If you select "Not Applicable" for this "Facility Information" element, you are indicating this facility is no longer regulated under the Unified Program IN ANY WAY. All other program/submittal elements for this facility will be marked as "Not Applicable" as well.

Submittals marked as Not Applicable will not be included in any CERS2 statistical reports, and businesses/organizations will not receive future reminders/alerts for the submittal element.

- **No Status Change:** Select this option only when you want to modify/update the Comment to Business and/or Next Reporting Due Date. When modifying Comments, list the new/updated comments first and retain all or as much of the previous comments as possible/appropriate.