



# **HMBP Submittals - Applied Strategies for Ensuring Compliance**

## **March 22, 2023**

**Presented by:**

**Kathleen Estrada, Riverside County Department of Environmental Health**

**Nick Crain, Riverside County Department of Environmental Health**

**Tom Vohoska, Sacramento County Environmental Management Department**

**John Paine, California Environmental Protection Agency**

**Elizabeth Brega, California Environmental Protection Agency**



**25th California Unified Program  
Annual Training Conference  
March 20 – 23, 2023**

# Agenda

- Purpose of the presentation
- Overview of HMBP submittal requirements
- Overview of statewide submittal trends, hurdles and obstacles
- Riverside County Department of Environmental Health
- Sacramento County Environmental Management Department
- Current CERS Features & CERS NextGen Updates
- Input on submittals from multi-jurisdictional businesses
- Questions

# Purpose of Today's Presentation

- Why are we here today?



# Overview of HMBP Submittal Requirements

Health and Safety Code [Section 25508](#)

- “The unified program agency shall **establish a date** by which a handler shall electronically submit the business plan. If a unified program agency does not otherwise establish a date, the handler shall submit the business plan **on or before March 1** of every year that the plan is required to be submitted pursuant to paragraph (1)”

# Overview of HMBP Submittal Requirements

Health and Safety Code [Section 25508](#)

- “...a handler shall submit its business plan in accordance with the following:
  - (A) The handler of a facility that is required to submit tier II information pursuant to Section 11022 of Title 42 of the United States Code shall submit its business plan **annually**.
  - (B) The handler of a facility that is subject to Chapter 6.67 (commencing with Section 25270) shall submit its business plan **annually**.
  - (C) The handler of a facility that is not required to submit tier II information pursuant to Section 11022 of Title 42 of the United States Code and is not subject to Chapter 6.67 (commencing with Section 25270) shall submit its business plan once every three years.”

# Overview of HMBP Submittal Requirements

Health and Safety Code [Section 25508.2](#)

- “On or before the due date established pursuant to paragraph (2) of subdivision (a) of Section 25508, the business owner, business operator, or officially designated representative of the business shall **annually** review and certify that the information in the statewide information management system is complete, accurate, and in compliance with Section 11022 of Title 42 of the United States Code.”

# Overview of HMBP Submittal Requirements

Health and Safety Code [Section 25508](#)

- “If, after review, the unified program agency determines that the handler’s business plan is deficient in satisfying the requirements of this article or the regulations adopted pursuant to Section 25503, the unified program agency shall notify the handler of those deficiencies.”
- “If a handler fails, after reasonable notice, to electronically submit a business plan in compliance with this article, the unified program agency shall take appropriate action to enforce this article, including the imposition of administrative, civil, and criminal penalties as specified in this article.”

# Overview of Statewide HMBP Submittal Trends

- Approximately 140,000+ business plan facilities in California
- Approximately 20,000+ business plan facilities overdue to submit a business plan (~15%)



# HMBP Submittal Hurdles and Obstacles

One of the top deficiencies/findings that we site during the UPA Performance Evaluation:

“Failure to ensure regulated businesses subject to HMBP reporting requirements annually submit an HMBP or a no-change certification to CERS”

# HMBP Submittal Hurdles and Obstacles

- Difficulty ensuring business comply
- Various implementation practices statewide

# Where do we go from here?

- Clarify statutory and regulatory requirements
- Provide guidance to UPAs
- CERS NextGen
- Implement known strategies to increase business plan submittals
  - Provide notification letters or emails to businesses
  - Utilize enforcement
  - Implement technological aids



# **HMBP Submittals - Applied Strategies for Ensuring Compliance**

**Kathleen Estrada, Riverside County Department of Environmental Health**  
**Nick Crain, Riverside County Department of Environmental Health**



**25th California Unified Program  
Annual Training Conference**  
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# HMBP Automation Project

- Developed by internal IT staff and specialist collaboration in 2017 to ensure that all businesses electronically submit a complete hazardous materials business plan annually to CERS
- The facility's submittal due date is the permit expiration date AND they must submit within 365 days



# Features of the System

- Creation of escalating written violation notices
  - NTC, NOV, NOV2, and AEO
- Recording of violations and escalation of their classifications
- Creations of enforcement actions when appropriate
- Clearing of violations when a submission is detected
- Electronically archiving communications with the facility

# How Does It Work?

- SQL Server Integration Services (SSIS)
  - Brings CERS and Envision Connect (EC) data together
  - CERS ID is the link
- CERS data download
  - The last submission and the submittal element

# CERS Data Download

CERS Regulator



Submittals

Facilities

Businesses

Regulators

Compliance

Responders

Reports

## Submittal Search

[Home](#) » [Submittal Search](#)

Because the last accepted submittal elements form the basis of most CERS reports/downloads, **always process submittals in chronological order.**

### Search Submittals

Regulator  Status

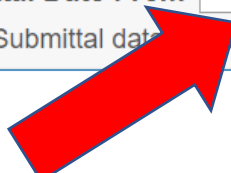
CERS ID  Facility Name  Facility ID/Key

City  ZIP Code

Element

Submittal Date From  To

\*Note: Submittal data current as of 1/27/2023 at 4:34 PM. Use the [Submittal Processing](#) page to view more recent submittals.





# CERS Data Download

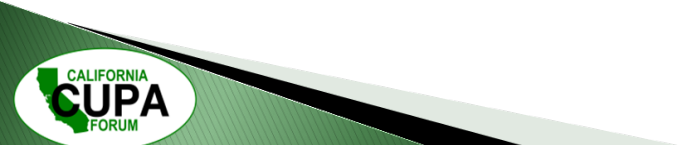
1	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q
2	1a	1	20.0084	20.0016	3	103	104	105		Facility			Inventory			Plans	
3	CERS ID	Facility ID	Facility Regulator Key	Business Name	Facility Name	Site Address	City	ZIP Code	Submitted Date/Time	Status	Date	Comments	Status	Date	Comments	Status	Date
	12345678	FA001234	FA0018593	Riverside County	Riverside County	1234 Candy Cane Lane	Riverside	92503	1/1/2022 4:00 AM	Accepted	3/8/2022		Not Accepted	3/8/2022		Accepted	3/8/2022

We remove all columns except:

- CERS ID
- Inventory Submitted date/time
- Inventory Submittal Status

We match to CERS dictionary values

Find What	Replace With
Accepted	4
Not Accepted	5
Submitted	2
Not Applicable	6
Under Review	3
Certified	8



# Scenario Conditions

- Facility must have an active, permitted HMBP record in EC AND one of these basic scenario conditions must be met for the automation to start:
  1. Most recent submission is older than 365 days
  2. Most recent submission is newer than 365 days and was “not accepted” by the regulator
  3. No submission was detected at all

# Issuing a Notice to Comply

- If the most recent submission meets one of the scenario conditions, then a NTC letter is generated
- No violation is recorded in the local system
- A master Crystal Report is produced which includes the individually addressed letters for all facilities via our internal billing logic
- A PDF copy of the letter is generated and attached to the individual facility record

October 20, 2022

Nicholas Crain  
PO Box 1234  
Riverside, CA 92503

## **NOTICE TO COMPLY**

**Facility ID:** FA0012345  
**Facility Name:** Nick's Auto Repair  
**Facility Address:** 1234 Fake Street  
Riverside, CA 92503

To Whom It May Concern:

All facilities regulated under the Hazardous Materials Business Plan program are required to annually recertify and resubmit Hazardous Materials Business Plan (HMBP) information online in the California Environmental Reporting System (CERS).

**VIOLATION:** Failure to annually recertify the facilities Hazardous Materials Business Plan. California Health and Safety Code Sections 25508 and 25508.2; California Code of Regulations, Title 27, Section 15188.

**OBSERVATION:** As of 10/20/2022, an annual HMBP recertification and submission has not been received by Riverside County Department of Environmental Health.

**CORRECTIVE ACTION:** Immediately log in to CERS at <http://cers.calepa.ca.gov> and submit an updated HMBP. Assistance with the CERS system can be found online at <https://cersbusiness.calepa.ca.gov/help>.

**CORRECT BY:** November 19, 2022

If you have any questions regarding this Notice to Comply or if you require assistance, please contact a hazardous materials specialist at (888) 722-4234.

Sincerely,  
Riverside County Department of Environmental Health Hazardous Materials Management Branch (CUPA)

25th California Unified Program  
Annual Training Conference  
March 20 - 23, 2023



# Issuing a Notice of Violation



# The Notice of Violation

- A violation record is created and linked to the facilities HMBP program record
- This is coded as an office inspection which is transmitted to CERS as a type 'other' inspection
- "Occurred\_on" date= NOV letter date
- "Violation classification"= "minor"

November 20, 2022

Nicholas Crain  
PO Box 1234  
Riverside, CA 92503

## **NOTICE OF VIOLATION**

**Facility ID:** FA0012345  
**Facility Name:** Nick's Auto Repair  
**Facility Address:** 1234 Fake Street  
Riverside, CA 92503

To Whom It May Concern:

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**VIOLATION:** Failure to annually recertify the facilities Hazardous Materials Business Plan. California Health and Safety Code Sections 25508 and 25508.2; California Code of Regulations, Title 27, Section 15188.

**OBSERVATION:** As of 11/20/2022, an annual HMBP recertification and submission has not been received by Riverside County Department of Environmental Health. A Notice to Comply was previously sent to your facility on/about 10/20/2022 directing the submission of a HMBP.

**CORRECTIVE ACTION:** Immediately log in to CERS at <http://cers.calepa.ca.gov> and submit an updated HMBP. Assistance with the CERS system can be found online at <https://cersbusiness.calepa.ca.gov/help>.

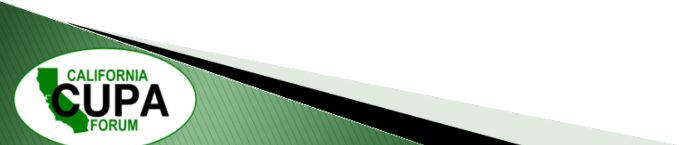
**CORRECT BY:** December 20, 2022

If you have any questions regarding this Notice of Violation or if you require assistance, please contact a hazardous materials specialist at (888) 722-4234.

Sincerely,  
Riverside County Department of Environmental Health Hazardous Materials Management Branch (CUPA)

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# Issuing a Final Notice of Violation





# Issuing a Final Notice of Violation

- A new inspection and associated violation record is created like NOV stage
  - “Violation classification”= “Class 2”



1/5/2023

Nicolas Crain  
PO Box 1234  
Riverside, CA 92503

## **NOTICE OF VIOLATION**

### **FINAL NOTICE**

**Facility ID:** FA0012345  
**Facility Name:** Nick's Auto Repair  
**Facility Address:** 1234 Fake Street  
Riverside, CA 92503

Our records currently indicate that your facility has failed to electronically recertify and resubmit your Hazardous Materials Business Plan (HMBP) online in the California Environmental Reporting System (CERS). This recertification and resubmission is required by California Health and Safety Code, Sections 25508 and 25508.2 and California Code of Regulations, Title 27, Section 15188. A Notice to Comply was previously sent to your facility on 10/20/2022 advising you of the requirement. This was followed with a Notice of Violation dated 11/20/2022 directing compliance.

The Riverside County Department of Environmental Health Hazardous Materials Management Branch is preparing to initiate enforcement proceedings against your facility for failing to recertify and resubmit a HMBP into CERS. California Health and Safety Code Section 25515 authorizes the Department to assess civil penalties of up to five thousand dollars (\$5,000) for each day in which this violation remains uncorrected.


You are hereby ordered to immediately log in to CERS at <http://cers.calepa.ca.gov> and submit an updated HMBP. Assistance with the CERS system can be found online at <https://cersbusiness.calepa.ca.gov/help>. Your submission must be received prior to 2/4/2023 or further enforcement action will be taken.

If you have any questions regarding this Notice of Violation or if you require assistance, please contact a hazardous materials specialist at (888) 722-4234.

Sincerely,  
Riverside County Department of Environmental Health Hazardous Materials Management Branch (CUPA)

# Mailing of Final Notice of Violation

- Certified Mail barcode is automatically generated and printed on page 1 of a 2-page letter

County of Riverside Environmental Health Hazardous Materials Management Branch PO Box 7909 Riverside, CA 92513-7909	<b>USPS Tracking #</b>  0000 0000 0000 0000 0000 00
Nicholas Crain PO Box 1234 Riverside, CA 92503	

1234 Fake Street Riverside, CA 92503

Date Produced: 01/02/2023

RIVERSIDE COUNTY ENVIRONMENTAL HEALTH:

The following is the delivery information for Certified Mail™/RRE item number 0000 0000 0000 00000000 00  
Our records indicate that this item was delivered on 1/8/2023 at 11:19 a.m. in Riverside, CA 92503. The  
scanned image of the recipient information is provided below.

Signature of Recipient :

NE

Address of Recipient :

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance,  
please contact your local post office or Postal Service representative.

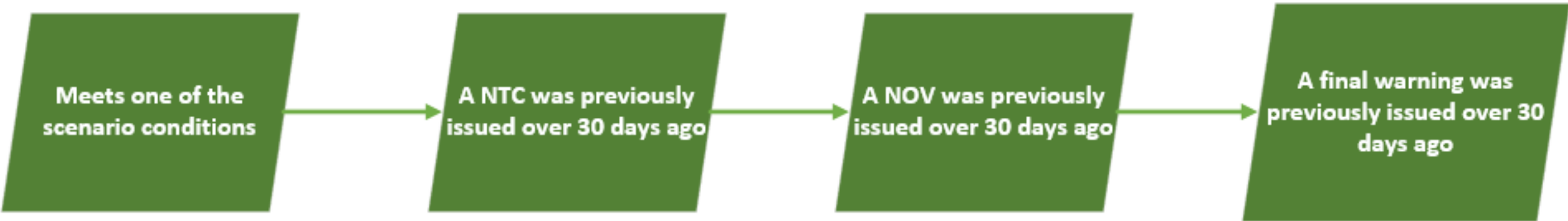
Sincerely,  
United States Postal Service

The customer reference number shown below is not validated or endorsed by the United States Postal  
Service. It is solely for customer use.

Customer Reference Number: FA0012345 NOV2

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March 20 - 23, 2023

# Issuing a Show Cause Letter



# Issuing a Show Cause Letter

- A new inspection and associated violation record is created just as prior NOV stages
  - “Violation classification”= “Class 1”
  - Enforcement record is created and the new class 1 violation is linked to it

Nicholas Crain  
PO Box 1234  
Riverside, CA 92503

RE: Nick's Auto Repair, 1234 Fake Street, Riverside (FA0012345)

The Hazardous Materials Management Branch (HMMB) has previously sent three notices regarding a delinquent Hazardous Materials Business Plan (HMBP) recertification to Nick's Auto Repair. Based on the current lack of an approved HMBP, the HMMB is preparing to bring an administrative action against Nick's Auto Repair located at 1234 Fake Street in Riverside, CA. The administrative action being considered includes, but is not limited to, violations of the California Health and Safety Code, Sections 25508 and 25508.2 and California Code of Regulations, Section 15188. California Health and Safety Code, Section 25404.1.1 authorizes the Department to order action necessary to correct the violations and to assess civil penalties.

Prior to the Enforcement Order being served, the Department would like to afford you the opportunity to discuss the violations, the compliance efforts and the subject of a pre-order negotiated penalty settlement. The person or persons representing your business should have the authority to make decisions and negotiate the settlement including penalties.

This is a pre-hearing settlement meeting. You have the right to go to a formal hearing in front of an Administrative Law Judge. You have the right to be represented by legal counsel of your choice. If you are not willing to discuss this matter, please call and let the Department know. If this is the case, an Enforcement Order will be served upon you.

If you are willing to discuss this matter with the Department, a show cause meeting has been scheduled on 03-22-2023 at 10:00AM at the County of Riverside, Department of Environmental Health, 4065 County Circle in Riverside. If you choose to have legal counsel represent you, inform the Department prior to the date of the meeting. If the Department office has not heard from you by 03-22-2023, we will proceed with an Enforcement Order. You may contact us at (951) 766-6524 with any questions.

Presentation of photographic identification issued by a Federal or State agency will be required to enter the building.

Sincerely,  
Riverside County Department of Environmental Health Hazardous Materials Management Branch (CUPA)

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Riverside County Environmental Health Presents

AEO Overview & Mock AEO Meeting



# Lessons Learned

- CIW download error with inaccurate submittal statuses
- Facilities were receiving letters when a complete HMBP was submitted in CERS
- Halted HMBP automation from May 2019-Early 2020



# Lessons Learned

- Enforcement was halted in 2020 due to the global pandemic
- NTC letters only were issued May-September
- Violations were not escalated
- Some facilities received multiple NTC letters
- Preliminary lists were issued for Supervisor review starting February 2021 before official HMBP run



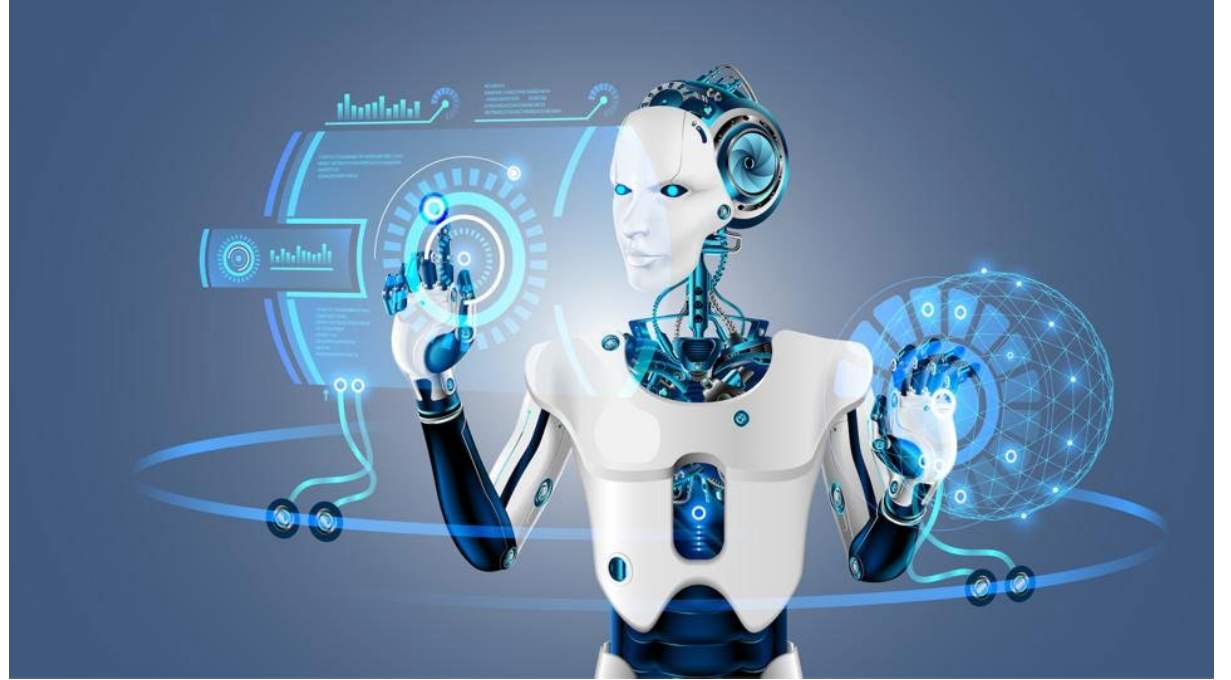
# Lessons Learned

- Facilities received multiple letters in one run
  - (E.G; NTC and NOV)
- Code was pulling from prior year's NTC for repeat facilities
- Duplicates and letter date resets had to be adjusted



# Next Steps

- Code clean up
- Transition to full automation
- Convert to a web application



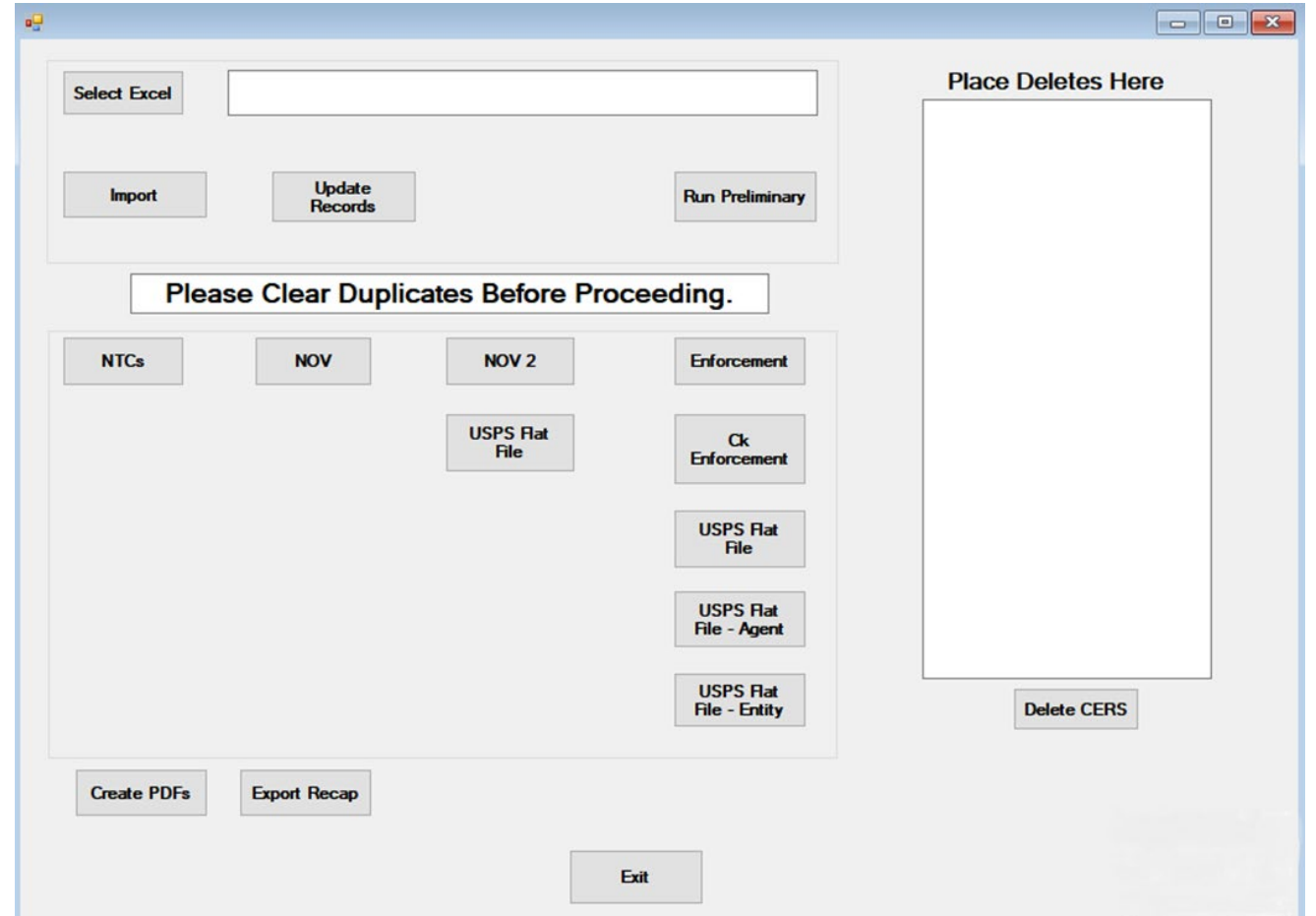
# Next Steps

An application used by DEH staff:

- Beta testing
- Optional imports from Excel or CIW

Still using:

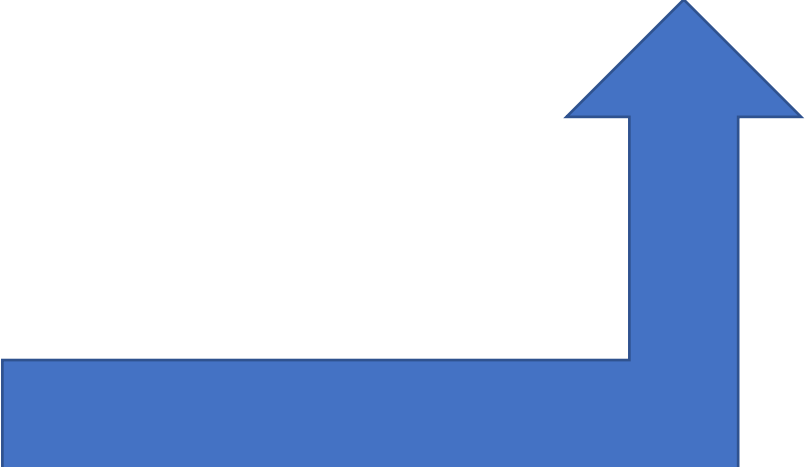
- SQL database and tables
- SSRS & SQL Stored Procedures
- Small executables aka applications
- Crystal Reports
- EnvisionConnect User Defined Fields (UDF)



# Next Steps



**HS GOVTECH™**





# HMBP Submittals - Applied Strategies for Ensuring Compliance

**Tom Vohoska, Sacramento County Environmental Management Department**



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# Annual HMBP Submittal/Certification Date

“I didn’t know I had to submit/certify ever year!”

## **Quick Poll for Regulators and Businesses:**

Do you have an established annual anniversary date or just default to March 1<sup>st</sup>?

Annual Submittal vs Annual Certification



# Notifications for HMBP Compliance

*California Health and Safety Code Section 25508 (a) (1): A handler shall electronically submit its business plan to the statewide information management system in accordance with the requirements of this article and certify that the business plan meets the requirements of this article.*

*(2) The unified program agency shall establish a date by which a handler shall electronically submit the business plan. If a unified program agency does not otherwise establish a date, the handler shall submit the business plan on or before March 1 of every year that the plan is required to be submitted pursuant to paragraph (1).*

*(4) If a handler fails, **after reasonable notice**, to electronically submit a business plan in compliance with this article, the unified program agency shall take appropriate action to enforce this article, including the imposition of administrative, civil, and criminal penalties as specified in this article.*


# What is Reasonable Notification?

60 Day Notification: Sacramento County EMD sends out a 60 day notification prior to the established annual anniversary date.

30 Day Notification: This courtesy notification that is sent out if a submittal has not been made


# 60 Day Letter

- Track in internal database anniversary dates
- Use SQL Reports to generate mail merge and mass mail outs
- Download CERS submittal data field to “block” them from list of facilities if they have submitted a hazardous materials inventory (HMIRRP)

Ann Edwards County Executive	 County of Sacramento	Chevon Kothari Deputy County Executive Social Services Agency Environmental Management Department
		DUE DATE:
		FACILITY ID :
<b>60 DAY FIRST &amp; ONLY NOTICE</b>		
<b>Courtesy Notice: Electronic Reporting Requirements</b>		
<b>Requirement</b>	Hazardous Materials Business Plans (HMBPs) are required by state law for all businesses that store, handle, use or otherwise maintain reportable quantities of hazardous materials / hazardous wastes on site at any one time. Reportable quantity thresholds are: 55 gallons, 500 pounds, or 200 cubic feet. Visit <a href="http://emd.saccounty.net/EC/HM/Pages/BusinessPlans.aspx">emd.saccounty.net/EC/HM/Pages/BusinessPlans.aspx</a> for definitions and exceptions. In addition to the HMBP, an Underground Storage Tank(UST) plan is required for facilities storing hazardous materials/wastes in underground storage tanks.	
<b>What you must do</b>	Your business has been identified as one that is subject to HMBP and/ or UST requirements. You must submit / certify your completed HMBP and / or UST documents within 60 days. HMBPs and / or UST plans are submitted / certified electronically using the California Environmental Reporting System (CERS).	
<b>How to submit / certify the HMBP</b>	<b>First time users:</b> Please visit <a href="http://cers.calepa.ca.gov">cers.calepa.ca.gov</a> to create a CERS account, request access to your facility, and complete the required HMBP and/ or UST forms. <b>Existing CERS users:</b> Log into your account at <a href="http://cers.calepa.ca.gov">cers.calepa.ca.gov</a> to review / edit your previous submission. You must resubmit/ certify the entire HMBP and/or UST plan annually even if there are no changes to your previous submission. Assistance and information is available at <a href="http://electronicreporting.saccounty.net">electronicreporting.saccounty.net</a> , or contact us at	
<b>To avoid penalties</b>	Please visit <a href="http://cersbusiness.calepa.ca.gov/Help">cersbusiness.calepa.ca.gov/Help</a> for answers to commonly asked questions regarding CERS submittals. Failure to submit / certify your completed HMBP or UST plan by the due date shown at the top of this letter may result in up to <b>\$5000.00 / day</b> in civil penalties. Payment of your annual permit fees <b>does not</b> relieve you of the requirement to submit / certify	
<b>Assistance is available</b>	Staff is available to assist you in completing/certifying your HMBP and/or UST plan. Please email <a href="mailto:emd-e-reporting@saccounty.net">emd-e-reporting@saccounty.net</a> or call (916) 875-2377 to obtain assistance from one of our <b>Environmental Specialists</b> . More information may be found at: <a href="https://emd.saccounty.net/Pages/E-Reporting.aspx">https://emd.saccounty.net/Pages/E-Reporting.aspx</a>	
<small>11080 White Rock Road, Suite 200 • Rancho Cordova, California 95670 • fax (916) 875-8513 Environmental Compliance (916) 875-8550 • Environmental Health (916) 875-8440 <a href="http://www.saccounty.net">www.saccounty.net</a> • <a href="http://www.emd.saccounty.net">www.emd.saccounty.net</a></small>		

# 30 Day Letter

- 60 Day Notification: Sacramento County EMD sends out a 60 day notification prior to the established annual anniversary date.
- 30 Day Notification: Sent out if a full submittal has not been made in CERS.
- Can be useful for enforcement.

Ann Edwards County Executive		Chev on Kothari Deputy County Executive Social Services Agency
County of Sacramento		Environmental Management Department Jenea Monasterio, Director
Facility Address		
Facility ID Number:		
Event ID Number:		
Prior Notice Mailed:		
Prior Due Date:		
FINAL DUE DATE		
<b>FINAL NOTICE</b> Electronic Reporting Requirements		
Dear Business Owner / Operator:		
Past Due HMBP and/or UST plan	You are hereby advised that we have not received your Hazardous Materials Business Plan (HMBP) submission as required by Article 1 Chapter 6.95 Division 20 of California Health and Safety Code. In addition to the HMBP if your facility operates <u>Underground Storage Tanks</u> , an Underground Storage Tank (UST) plan was also required by the California Code of Regulation, Title 23. Your HMBP and/or UST plan was due as of the prior due date indicated above.	
Penalty for non-compliance	You have been granted a FINAL 30 day extension to satisfy your HMBP and / or UST submittal / certification requirement. Your final due date is as shown above and to the left of this paragraph. Failure to submit / certify your HMBP and / or UST documents may result in enforcement action and penalty assessment.	
What you must do	If you fail to submit / certify your completed HMBP and / or UST plan by the FINAL DUE DATE shown on this notice, you may be subject to administrative civil penalties of up to \$2,000/day (or \$5,000 / day for knowingly violating the law) for each day the HMBP and / or UST plan is overdue. Authority: California Health & Safety Code Chapter 6.95 Section 25515 and Chapter 6.7 Section 25299	
Assistance is available	First time users: Please visit <a href="https://cers.calepa.ca.gov">cers.calepa.ca.gov</a> to create a CERS account, request access to your facility, and complete the required HMBP and / or UST forms. Existing CERS users: Log into your account at <a href="https://cers.calepa.ca.gov">cers.calepa.ca.gov</a> to review / edit your previous submission. You must resubmit / certify the entire HMBP and / or UST plan annually even if there are no changes to your previous submission.	
	Please visit <a href="https://cersbusiness.calepa.ca.gov/help">cersbusiness.calepa.ca.gov/help</a> for answers to commonly asked questions regarding CERS submittals.	
	Staff is available to assist you in completing your HMBP and / or UST plan. Please email <a href="mailto:emd-e-reporting@sacounty.net">emd-e-reporting@sacounty.net</a> or call (916) 875-2377 to obtain assistance from one of our Environmental Specialists.	
	More information may be found at: <a href="https://emds.sacounty.net/Pages/E-Reporting.aspx">https://emds.sacounty.net/Pages/E-Reporting.aspx</a>	
11080 White Rock Road, Suite 200 ■ Rancho Cordova, California 95670 ■ fax (916) 875-8513 Environmental Compliance (916) 875-8550 ■ Environmental Health (916) 875-8440 <a href="http://www.sacounty.net">www.sacounty.net</a> ■ <a href="http://www.emd.sacounty.net">www.emd.sacounty.net</a>		

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# HMBP Review Process

How do we handle the all these submittals?

- Completeness checks vs technical reviews

- Canned regulator comments:

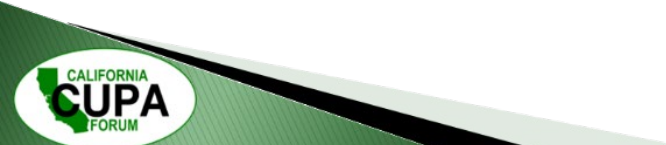
*Thank you for submitting in CERS. Please note, this submittal element has been reviewed for completeness only and the information will be field verified during the next inspection.*

- Put the focus on triennial inspections and HMBP verification



# Submittals by the Numbers

	Hazardous Materials Release Response Plans (HMRRP)		
	Count	Submitted	
		#	%
<b>2022</b>	4927	4416	89%
<b>2021</b>	4863	4321	87%
<b>2020</b>	4835	4265	88%
<b>2019</b>	4985	4355	87%
<b>2018</b>	4887	4313	88%



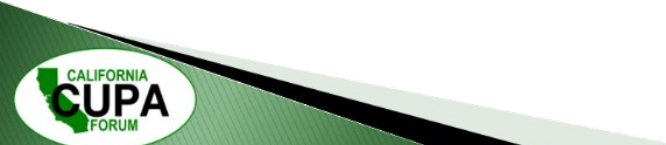
# Pros and Cons

## Pros:

- Higher percentage of HMBP submittals
- Can be considered a business friendly practice
- Can figure out changes in contact/business status prior to triennial inspection
- Potential enforcement tool

## Cons:

- Can be labor/time intensive
- Can create high cost\$ for your organization



# What is Next?

- EMD is moving from EnvisionConnect to HS GovTech
- Proposed: 60 Day/30 Day “snail mail” will be converted to electronic notifications leveraging from CERS user emails
- CERS NextGen: will be used to notify businesses of their annual submittal/certification requirements depending on approved features





# Current CERS Features & CERSNextGen Updates

**John Paine, California Environmental Protection Agency**



**25th California Unified Program  
Annual Training Conference  
March 20 – 23, 2023**

# Current CERS Features

25th California Unified Program  
Annual Training Conference  
March 20 - 23, 2023

# Download Business User Email Accounts

Currently downloading user contacts is utilized by some agencies to send an annual reminder regarding the HMBP requirements

The downloaded table displays the following:

- First and last name of each business user
- Email address for each business user
- Last CERS sign-in date
- Business organization name
- Business headquarters
- Organization code number (a unique number for each business organization)
- Total number of facilities in the state
- Number of business users
- CERS ID number if there is only one facility in the state

# Submittal Due Date

UPAs can set a submittal date in CERS for each element (not required)

Visible to business under facility reporting status

Will be a requirement in NextGen for each element

The screenshot shows the CERS Business interface. At the top, there is a navigation bar with 'California Environmental Reporting System: Business' and a user account for 'Joe Salhab'. A prominent orange alert box says 'IMPERSONATION ALERT! Erika, you are impersonating bayautomotive'. Below this is a green header with 'CERS Business' and buttons for 'Home', 'Submittals', 'Facilities', 'Compliance', and 'My Business'. The main content area is titled 'Facility Reporting Status: Bay Automotive Inc'. It includes a search section with checkboxes for 'Identify Facilities needing to report' (unchecked) and 'Exclude Non-Regulated Facilities' (checked), and a dropdown menu for 'Regulator' set to '--All Regulators--'. A table below lists reporting elements for facility 10167701. The table has columns for Facility, FacInfo, Inventory, Plans, UST, TP, RMR, Remote, and APSA. The 'FacInfo' column shows 'Accepted' status with a 'Next Due' date of 12/01/2022 and an 'APPLICABLE' button. The 'Inventory' and 'Plans' columns also show 'Accepted' status with 'Next Due' dates of 12/01/2022 and 12/01/2022 respectively, and 'APPLICABLE' buttons. The 'UST', 'TP', 'RMR', 'Remote', and 'APSAs' columns show 'NOT APPLICABLE' status. At the bottom of the table is an 'Export To Excel' button. The footer contains version information 'Version 3.08.0016', links for 'Enhancements', 'CERS Central', 'Diagnostics', 'Conditions of Use', 'Privacy Policy', 'Contact', and 'Help', and copyright information for the California Environmental Protection Agency.

Facility	FacInfo	Inventory	Plans	UST	TP	RMR	Remote	APSA
<a href="#">10167701</a> Bay Automotive Distribution Group Inc 44869 Industrial Dr. Fremont, CA 94538	<b>Accepted</b> 12/01/2022 Next Due: 03/01/2023 APPLICABLE	<b>Accepted</b> 12/01/2022 Next Due: 03/21/2023 APPLICABLE	<b>Accepted</b> 12/01/2022 Next Due: 03/01/2023 APPLICABLE	NOT APPLICABLE	NOT APPLICABLE	NOT APPLICABLE	NOT APPLICABLE	NOT APPLICABLE



# CERS NextGen Submittals

25th California Unified Program  
Annual Training Conference  
March 20 - 23, 2023



# Profile Data

<b>Topic Summary</b>	Some data previously found in a submittal element will now be stored within another record as 'profile' information.	
<b>Expected Changes</b>	<b>Current State</b> <ul style="list-style-type: none"><li>• Facility submittal<ul style="list-style-type: none"><li>• Business activities</li><li>• Business Owner/Operator</li></ul></li><li>• UST Owner/operator part of submittal</li><li>• UST tank information part of submittal</li></ul>	<b>Future State</b> <ul style="list-style-type: none"><li>• Business activities stored on facility profile</li><li>• Business Owner/Operator part of facility profile</li><li>• Property Owner part of facility profile</li><li>• UST Owner/Operator part of facility profile</li><li>• UST tank information part of UST record</li></ul>
<b>Actions to Take / Impacts</b>	<ul style="list-style-type: none"><li>• Local systems may need to add/modify data fields in existing records structure.</li><li>• Local systems will need to pull data from different records to capture information needed for permits (tiered permitting, UST, HazMat).</li></ul>	

# Submittal Due Dates

<b>Topic Summary</b>	Businesses sometimes forget to file in a timely manner. Reminders to businesses for upcoming submission requirements will help.	
<b>Expected Changes</b>	<b>Current State</b> <ul style="list-style-type: none"><li>• CERS allows, but does not require setting a next due date.</li></ul>	<b>Future State</b> <ul style="list-style-type: none"><li>• CERS NextGen will require that a due date be set for all submittal elements.</li><li>• Notifications will automatically be sent to businesses.</li></ul>
<b>Actions to Take / Impacts</b>	<ul style="list-style-type: none"><li>• Regulators will need to establish due dates in CERS NextGen.</li></ul>	

# All Facility Submittals through CERS NextGen

<b>Topic Summary</b>	Local Portal input of facility and submittal element information to CERS NextGen will not be supported.	
<b>Expected Changes</b>	<b>Current State</b> <ul style="list-style-type: none"><li>• A few local regulators allow reporting to local portals and pass submittal data to CERS.</li></ul>	<b>Future State</b> <ul style="list-style-type: none"><li>• All facility reporting will be made directly to CERS NextGen</li></ul>
<b>Actions to Take / Impacts</b>	<ul style="list-style-type: none"><li>• Local submission rules in a few jurisdictions may need to be changed.</li><li>• Some businesses will need to learn to use CERS NextGen.</li><li>• A few jurisdictions will need to shift to populating local systems from CERS NextGen.</li></ul>	



# Modified Submittal Process

<b>Topic Summary</b>	Submittal process will be updated to enable a revised submittal review, update, resubmission processes.	
<b>Expected Changes</b>	<b>Current State</b> <ul style="list-style-type: none"><li>• New submittal must be made for any corrections.</li></ul>	<b>Future State</b> <ul style="list-style-type: none"><li>• A submittal element can be electronically returned to a facility for revisions or for acceptance of minor revisions made by the regulator.</li><li>• The function will include captured comments on each part of the process.</li><li>• The function will include actions taken during the process.</li></ul>
<b>Actions to Take / Impacts</b>	<ul style="list-style-type: none"><li>• Businesses and regulators will need to adjust to new process.</li><li>• If local system is tracking/capturing submittal status, it will need to add and align submittal statuses.</li><li>• May need to update local system interfaces to capture status changes.</li></ul>	

# New Regulator Editing Ability

<b>Topic Summary</b>	Regulators will be authorized to edit submittals.	
<b>Expected Changes</b>	<b>Current State</b> <ul style="list-style-type: none"><li>• UPA can send a message describing needed changes but cannot make any edits</li><li>• Submittal Status Options: Submitted, Under Review, Accepted, Rejected</li></ul>	<b>Future State</b> <ul style="list-style-type: none"><li>• UPA can make minor edits and return the submittal to the user for approval.</li><li>• Or UPA can return to user if edits are more substantial, user can 'resubmit'.</li><li>• New Submittal Status Options: TBD but likely something like "Edits needed"</li></ul>
<b>Benefits</b>	<ol style="list-style-type: none"><li>1. Improve communication between regulators and facilities</li><li>2. Decrease total number of submittals - status change instead of new submittal</li></ol>	

# RTC Records and Submission Process

<b>Topic Summary</b>	Automated process for Return-To-Compliance (RTC) information for violations.	
<b>Expected Changes</b>	<b>Current State</b> <ul style="list-style-type: none"><li>• RTC information is provided directly to regulator.</li><li>• Regulator provides new and updated violation information to CERS, including the 'actual RTC date', but no additional information about the RTC.</li></ul>	<b>Future State</b> <ul style="list-style-type: none"><li>• RTC information can provided directly to regulator <b>or</b> to CERS NextGen.</li><li>• Regulator provides new and updated violation information to CERS, including the 'actual RTC date' <b>for RTC provided directly to regulator.</b></li><li>• RTC information will exist as an independent record in CERS NextGen that becomes related to a violation.</li></ul>
<b>Actions to Take / Impacts</b>	<ul style="list-style-type: none"><li>• Submissions of RTC to CERS will continue to require the UPA to act on the submission.</li><li>• Regulators that wish to pull RTC information into local systems will need to align with records structure and map data fields. If desired to be automated, will require a new integration.</li><li>• Local systems will need to pull violation updates from CERS NextGen for violations resolved in CERS NextGen (new integration).</li><li>• Businesses will need to learn a new function in CERS NextGen.</li></ul>	

# Required / New Data Fields

<b>Topic Summary</b>	Most existing data fields will become required in CERS NextGen and some new data fields will be added. Current entry requirements do not reflect legal filing requirements.	
<b>Expected Changes</b>	<b>Current State</b> <ul style="list-style-type: none"><li>• All fields are legally required, but many data fields are not required to be filled in to make a successful submission.</li><li>• Most data fields are not validated.</li></ul>	<b>Future State</b> <ul style="list-style-type: none"><li>• Most data fields will become required to make a successful submission.</li><li>• Most data fields will be validated before being accepted.</li><li>• New data fields will be created to support revised business processes.</li></ul>
<b>Actions to Take / Impacts</b>	<ul style="list-style-type: none"><li>• Businesses will be required to enter valid information in virtually all fields.</li><li>• Data field mapping for pulled data to local systems will need to be updated.</li><li>• May require changes to local systems.</li></ul>	

# HW Recycling Submittal Changed to Data Entry

<b>Topic Summary</b>	The Hazardous Waste Recycling submittal is being 'converted' to on-screen data entry instead of document upload.	
<b>Expected Changes</b>	<b>Current State</b> <ul style="list-style-type: none"><li>• Submittal requires a document to be scanned and uploaded.</li></ul>	<b>Future State</b> <ul style="list-style-type: none"><li>• Submittal is on-screen with data entry fields.</li></ul>
<b>Actions to Take / Impacts</b>	<ul style="list-style-type: none"><li>• If a local system needs to pull this data, additional data fields will need to be added to match those in CERS NextGen.</li><li>• Businesses that report will need to learn the new functionality.</li></ul>	

# Chemical Inventory Library

<b>Topic Summary</b>	The Chemical Library contains over 75,000 chemical names, both common and user defined names.	
<b>Expected Changes</b>	<b>Current State</b> <ul style="list-style-type: none"><li>• Existing library large and difficult to utilize</li><li>• Contains common and user defined names</li><li>• Many of the chemicals are not utilized from the existing library</li></ul>	<b>Future State</b> <ul style="list-style-type: none"><li>• Duplicates will be removed</li><li>• Library use and naming conventions will be streamlined to contain only a few thousand chemical names</li></ul>
<b>Benefits</b>	<ul style="list-style-type: none"><li>• Standardize naming convention</li><li>• Improved emergency response information</li><li>• Clarify difference between a Chemical, Mixture, and hazardous waste</li><li>• Reduce data input burden on users</li></ul>	

# Input from Multi-jurisdictional Businesses

1. Does your multijurisdictional business have a March 1<sup>st</sup> or a different HMBP submittal date established by the CUPA? Or a mix of both?
2. What types of notifications do you receive (if any) from the CUPA's you are reporting to prior to your submittal due date?
3. Are there any types of submittal due date notifications that you prefer? (email, mail, etc.)
4. What tools do you use to keep track of numerous facilities with different submittal deadlines across jurisdictions?
5. On average, approximately how long does it take for the UPAs to process your submittals?
6. Has the annual HMBP certification process benefited your organizations? If so, how? If not, why?



# Any Questions?





# Contact Us

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Please refer to the [Unified Program Regulator Directory](https://cersapps.calepa.ca.gov/public/directory/) to search for and view contact information for your local UPA for any questions and assistance.

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