

CERTIFIED UNIFIED PROGRAM AGENCY ELECTRONIC REPORTING
GRANT AGREEMENT
BETWEEN THE
CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
AND
CITY OF SAN LEANDRO
CERTIFIED UNIFIED PROGRAM AGENCY
AGREEMENT NO. G10-UPA-82

State and Grantee hereby agree as follows:

1. PROVISIONS. The following statute authorizes the State to enter into this Grant Agreement:
 - a. California Health and Safety Code, division 20, chapter 6.11, section 25404
2. PURPOSE. The State shall provide a grant to and for the benefit of the Grantee for the purpose of allocating monies from the regulated businesses oversight surcharge to the Certified Unified Program Agencies (CUPAs). Assembly Bill 2286 authorizes the Secretary to use funds from the oversight surcharge to provide certified unified program agencies and participating agencies assistance in implementing electronic reporting requirements through grant funds for the purposes of the system. Up to 25% of the grant is authorized to be paid in advance on approval of the grant application.
3. GRANT AMOUNT. \$45,810
 - a. Advanced Payment Amount. **\$11,452.50**
4. TERM OF AGREEMENT. The term of the Agreement shall begin on January 1, 2010, and end on March 31, 2013. ABSOLUTELY NO GRANT DISBURSEMENT REQUESTS WILL BE ACCEPTED AFTER June 1, 2013.
5. REPRESENTATIVES. Either party may change its Representative(s) upon written notice to the other party. The Representatives during the term of this Agreement will be:

California Environmental Protection Agency GRANT MANAGER	
James Bohon	
1001 "I" Street, 2nd Floor	
Sacramento, California 95814	
Phone (916) 327-5097	
Fax (916) 322-5615	
Email: jbohon@calepa.ca.gov	
City of San Leandro Environmental Services Section GRANTEE	GRANT CONTACT
Name of Project Director, Title: Michael Bakaldin, Director of Public Works	Name: John Camp, Environmental Services Supervisor
Street Address: 835 East 14 th Street	Street Address: 835 East 14 th Street
City, Zip: San Leandro, 94577	City, Zip: San Leandro, 94577
Phone: 510-577-3440	Phone: 510-577-6029
Fax: 510-352-1192	Fax: 510-577-6019
e-mail: mbakaldin@sanleandro.org	e-mail: jcamp@sanleandro.org

6. STANDARD AND SPECIAL PROVISIONS. The following exhibits are attached and made a part of this Agreement by this reference:

- | | |
|-----------|---|
| Exhibit A | REPORTING AND GRANT DISBURSEMENT PROVISIONS |
| Exhibit B | SPECIAL AND GENERAL PROVISIONS |
| Exhibit C | GRANT APPLICATION |
| Exhibit D | TRANSITION PLAN |

7. GRANTEE REPRESENTATIONS. The Grantee accepts and agrees to comply with all terms, provisions, conditions, and commitments of this Agreement, including all incorporated documents, and to fulfill all assurances, declarations, representations, and commitments made by the Grantee in its application, accompanying documents, and communications filed in support of its request for grant funding.
8. DEFINITIONS. The following defined terms apply throughout this Agreement:
 "Cal/EPA" means the California Environmental Protection Agency;
 "CUPA" means the Certified Unified Program Agency;
 "Grantee" means the City of San Leandro, Environmental Services Section;
 "PA" means the Participating Agency;
 "Electronic Reporting" means the Electronic Reporting requirements of Assembly Bill 2286
 "Secretary" means the Secretary of the California Environmental Protection Agency; and
 "State" means the State of California, including Cal/EPA.

IN WITNESS THEREOF, the parties have executed this Agreement on the dates set forth below.

By:

Grantee Signature

Grantee Name, Title (Typed/Printed)

Date

By:

Donald A. Johnson, Assistant Secretary
California Environmental Protection Agency

Date

EXHIBIT A
REPORTING AND GRANT DISBURSEMENT PROVISIONS

A. REPORTING PROVISIONS

1. The Grantee shall prepare and submit a Transition Plan Status Reports, including Grant Disbursement Request form for documentation of expenditures, to the Cal/EPA Grant Manager at the following address:

California Environmental Protection Agency
Unified Program Section
Attn: Shinita Bryson
1001 "I" Street, 2nd Floor
Sacramento, California 95814

2. The Transition Plan Status Report and Grant Disbursement Request Form will be provided by Cal/EPA upon the approval of the Grant Application.
3. Each report shall have a cover letter certified by the Project Director or the Grant Contact.
4. For purposes of the Electronic Reporting Implementation Status Reports, the reporting period is as follows:

<u>Report</u>	<u>Reporting Period</u>	<u>Report Due Date</u>
Report 1	June 1, 2010, to September 30, 2010	November 1, 2010
Report 2	October 1, 2010, to December 31, 2010	February 1, 2011
Report 3	January 1, 2011, to March 31, 2011	May 1, 2011
Report 4	April 1, 2011, to June 30, 2011	August 1, 2011
Report 5	July 1, 2011, to September 30, 2011	November 1, 2011
Report 6	October 1, 2011, to December 31, 2011	February 1, 2012
Report 7	January 1, 2012, to March 31, 2012	May 1, 2012
Report 8	April 1, 2012, to June 30, 2012	August 1, 2012
Report 9	July 1, 2012, to September 30, 2012	November 1, 2012
Report 10	October 1, 2012, to December 31, 2012	February 1, 2013
Report 11	January 1, 2013, to March 31, 2013	May 1, 2013

B. GRANT DISBURSEMENT PROVISIONS

1. Grant Disbursement Request Forms shall be used to depict the expenditures incurred by the Grantee in implementation of Electronic Reporting throughout the period of performance.
2. The Grant Disbursement Request Form shall be submitted as an attachment to the Transition Status Report, in accordance with the submission schedule provided above.
3. The Grantee shall use the Grant Disbursement Request Form provided by Cal/EPA.

**EXHIBIT B
SPECIAL AND GENERAL PROVISIONS**

A. SPECIAL PROVISIONS

1. **AMENDMENTS:** No amendment or variation of the terms of this Agreement shall be valid unless made in writing, signed by the parties and approved as required. No oral understanding or agreement not incorporated in the Agreement is binding on any of the parties.
2. **WAIVERS:** Any term, provision, condition, or commitment of this Agreement may be waived at the discretion of Cal/EPA. All waivers shall be documented in writing.
3. **DISPUTES:** The Grantee shall continue with the responsibilities under this Agreement during any dispute. Any dispute arising under this Agreement which is not otherwise disposed of by agreement shall be decided by the Cal/EPA Assistant Secretary for Local Programs or an authorized representative. The decision shall be in writing and a copy thereof furnished to the Representatives of this Agreement. The decision of the Assistant Secretary shall be final and conclusive unless, within thirty (30) calendar days after mailing of the decision to the Grantee, the Grantee furnishes a written appeal of the decision to the Secretary for Environmental Protection, with carbon copies furnished to the Cal/EPA Assistant Secretary for Local Programs and the Cal/EPA Grant Manager. The decision of the Secretary shall be final and conclusive unless determined by a court of competent jurisdiction to have been fraudulent, or capricious, or arbitrary, or so grossly erroneous as necessarily to imply bad faith, or not supported by substantial evidence. In connection with any appeal under this clause, the Grantee shall be afforded an opportunity to be heard and to offer evidence in support of its appeal. Pending final decision of a dispute hereunder, the Grantee shall continue to fulfill and comply with all the terms, provisions, commitments, and requirements of this Agreement. This clause does not preclude consideration of legal questions, provided that nothing herein shall be construed to make final the decision of the Cal/EPA Assistant Secretary for Local Programs or the Secretary, on any question of law.
4. **FISCAL MANAGEMENT SYSTEMS AND ACCOUNTING STANDARDS:** The Grantee agrees that, at a minimum, its fiscal control and accounting procedures will be sufficient to permit tracing of grant funds to a level of expenditure adequate to establish that such funds have not been used in violation of state law or this Agreement. The Grantee further agrees that it will maintain financial accounts in accordance with generally accepted accounting principles. Without limitation of the requirement to maintain financial management systems and accounting standards in accordance with generally accepted fiscal and accounting principles, the Grantee agrees to:
 - a. Establish a financial account(s) and accounting system(s) that will adequately and accurately depict all Electronic Reporting Grant amounts received and expended during the term of this Agreement, including but not limited to:
 - i. All Electronic Reporting implementation expenditures; and
 - ii. Running balance of grant allocations and expenditures.
5. **RECORDS MANAGEMENT:** Maintain all documentation and financial records, as may be necessary, for the state to fulfill federal reporting requirements, including any and all reporting requirements under federal tax statutes or regulations. Establish an official file for the allocation that shall adequately document all significant activities and actions relative to the Implementation of the Electronic Reporting Implementation, including but not limited to:
 - a. Fiscal accounting;
 - b. Electronic Reporting Implementation Status Reports; and,
 - c. Grant Disbursement Requests and supporting documentation.
6. **TIMELINESS:** Time is of the essence in this Agreement. The Grantee shall proceed with Electronic Reporting implementation in an expeditious manner. The Grantee shall prepare and submit all required reports and Grant Disbursement Request Forms as stipulated in this Agreement.

7. WITHHOLDING OF GRANT DISBURSEMENTS: Cal/EPA may withhold all or any portion of the allocations provided for by this Agreement in the event the Grantee:
 - a. Materially violates, or threatens to materially violate, any term, provision, condition, or commitment of this Agreement; or
 - b. Fails to maintain reasonable progress toward Electronic Reporting implementation.
8. FUNDS CONTINGENCY: Cal/EPA's obligations under this Grant Agreement are contingent upon the availability of funds. In the event funds are not available, the State shall have no liability to pay any funds whatsoever to the Grantee or to furnish any other considerations under this Grant Agreement.
9. BUDGET REVISIONS: Budget revisions of 15% or less of the total agreement allocation may be made in writing and approved by Cal/EPA without an amendment to the agreement.

B. GENERAL PROVISIONS

1. ASSIGNMENT: This grant is not assignable by the Grantee, either in whole or in part, without the consent of the State.
2. AUDIT: Grantee agrees that the Cal/EPA, the Bureau of State Audits, or their designated representative shall have the right to review and to copy any records and supporting documentation pertaining to the expenditure of allocated moneys and performance of this Agreement. The Grantee agrees to maintain such records for a possible audit for a minimum of three (3) years after term of the Agreement, unless a longer period of records retention is stipulated. Grantee agrees to allow the auditor(s) access to such records during normal business hours and to allow interviews of any employees who might reasonably have information related to such records. Further, the Grantee agrees to include a similar right of the State to audit records and interview staff in any contract related to performance of this Agreement.
3. COMPUTER SOFTWARE: The Grantee certifies that it has appropriate systems and controls in place to ensure that state funds will not be used in the performance of this Agreement for the acquisition, operation or maintenance of computer software in violation of copyright laws.
4. CONFLICT OF INTEREST: The Grantee certifies that it is in compliance with applicable state and/or federal conflict of interest laws.
5. GOVERNING LAW: This grant is governed by and shall be interpreted in accordance with the laws of the State of California.
6. INDEPENDENT ACTOR: The Grantee, and its agents and employees, if any, in the performance of this Agreement, shall act in an independent capacity and not as officers, employees or agents of the State.
7. NONDISCRIMINATION: During the performance of this Agreement, the Grantee and its contractors shall not unlawfully discriminate against, harass, or allow harassment against any employee or applicant for employment because of sex, race, religion, color, national origin, ancestry, disability, sexual orientation, medical condition, marital status, age (over 40) or denial of family-care leave, medical-care leave, or pregnancy-disability leave. The Grantee and its contractors shall ensure that the evaluation and treatment of their employees and applicants for employment are free of such discrimination and harassment.
8. NO THIRD PARTY RIGHTS: The parties to this grant Agreement do not create rights in, or grant remedies to, any third party as a beneficiary of this grant Agreement, or of any duty, covenant, obligation or undertaking established herein.
9. TERMINATION: The State may terminate this Agreement and be relieved of any payments should the Grantee fail to perform the requirements of this Agreement at the time and in the manner herein provided. In the event of such termination, the Grantee agrees, upon demand, to immediately return the remaining unused portion, if any, of the Grantee's allocation.

10. UNENFORCEABLE PROVISION: In the event that any provision of this Agreement is unenforceable or held to be unenforceable, then the parties agree that all other provisions of this Agreement shall continue to have full force and effect and shall not be affected thereby.

EXHIBIT C GRANT APPLICATION FORM

1. Entity Information:

Unified Program Agency Name: **City of San Leandro, Environmental Services Section**

GRANTEE: City of San Leandro CUPA	GRANT CONTACT
Name of Project Director, Title: Michael Bakaldin, Director of Public Works	Name: John Camp, Environmental Services Supervisor
Street Address: 835 East 14 th Street	Street Address: 835 East 14 th Street
City, Zip: San Leandro, 94577	City, Zip: San Leandro, 94577
Phone: 510-577-3440	Phone: 510-577-6029
Fax: 510-352-1192	Fax: 510-577-6019
Email: mbakaldin@sanleandro.org	Email: jcamp@sanleandro.org

2. Grant Amount: **\$45,810.00**

a. Advanced payment Requested: **\$11,452.50**

(Up to 25% of the grant is authorized to be paid in advance on approval of the grant.)

3. Scope of Work

In order to comply with AB 2286 which requires the Unified Program to submit electronic information between the UPA and Cal/EPA via the CERS database; the City of San Leandro Environmental Services Section (ESS) will upgrade the Environmental Services Filemaker Pro database to a new web capable version, purchase web connectivity software/services and upgrade the network server to support web based system demands. In order for the regulated businesses to file electronically, the ESS will provide outreach and training to regulated businesses on the statewide California Environmental Reporting System (CERS). The award grant funds will be used to upgrade the City system; develop new required database (DB) features; purchase field base reporting equipment with CERS connectivity and remote PC access; train ESS staff on new equipment and software updates; and provide outreach/education/training for regulated businesses on CERS. Note, there are no participating agencies in the San Leandro UPA program.

4. Work Plan

Period of Performance: January 1, 2010 through March 31, 2013

1. New Hardware

- a. New ESS staff PC computers, monitors, general software
- b. Tablet PCs with CERS connectivity and remote PC access
- c. New scanner for industry uploads into CERS
- d. New network server to replace ageing server for ESS DB

2. New Software
 - a. Convert ESS DB to FileMaker Pro 11
 - b. Develop new ESS DB features to comply with CERS requirements
 - c. Develop software for tablet PCs connectivity to CERS and remote PC access
 - d. Upgrade PCs software and install required tablet PC software
3. Business Outreach
 - a. Notify businesses of AB 2286
 - b. Develop basic CERS training along with other Alameda County CUPAs for business managers
 - c. Send mailers/emails for training dates
4. Training
 - a. ESS staff on upgrades
 - i. Train ESS staff on new PC computers, monitors, field tablet PCs, general software and upgraded ESS DB
 - ii. Create new standard procedures for field and office data input
 - b. Regulated businesses on CERS
 - i. Develop training class with other Alameda County CUPAs
 - ii. Prepare training and utilize State CERS curriculum/resources
 - iii. Determine class sizes, space needs, and schedule facilities for training
 - iv. Print training information
 - v. Provide training sessions

5. Projected Budget:

Program Costs	Fiscal Year 09/10	Fiscal Year 10/11	Fiscal Year 11/12	Fiscal Year 12/13
Personnel Services* (legal)	\$	\$	\$5,714.40	\$5,242.06
Operating Expenses (training)	\$	\$	\$	\$
Travel Expenses	\$	\$	\$	\$
Supplies/Materials	\$	\$		
Equipment/Software	\$	\$7,194.00	\$18,915.86	\$
Professional/Consultant Services	\$	\$	\$8743.68	
FISCAL YEAR TOTAL	\$	\$7194.00	\$33,373.94	\$5,242.06
TOTAL	\$45,810.00			

*Indirect costs may not exceed 35% of grant allotment

CERTIFICATION

I certify under penalty of perjury that the information I have entered on this application is true and complete to the best of my knowledge and that I am an employee of the applicant authorized to submit the application on behalf of the applicant. I further understand that any false, incomplete, or incorrect statements may result in the disqualification of this application. By signing this application, I waive any and all rights to privacy and confidentiality of the proposal on behalf of the applicant, to the extent provided in this program.

Applicant Signature

Date

/ City Manager
Printed Name / Title of Applicant

Electronic Reporting Transition Plan

Unified Program Agency Name: **City of San Leandro, Environmental Services Section**

TRANSITION PLAN REPRESENTATIVE

Project Director:	Michael Makaldin, Director of Public Works
Street Address:	835 East 14 th Street
City, State, Zip:	San Leandro, 94577
Office Telephone:	510-577-3440
Fax:	510-352-1192
Email:	<i>mbakaldin@ci.san-leandro.ca.us</i>

1. General Description of Transition Plan

The City of San Leandro Environmental Services Section (ESS) is the Certified Unified Program Agency (CUPA) for all incorporated areas of San Leandro. The ESS is in the process of transitioning from our present paper-based HMBP reporting system to electronic reporting as mandated by Assembly Bill 2286. All regulated businesses will be required to submit their Unified Program Consolidated Forms (UPCFs) information electronically by January 1, 2013. Currently, the ESS collects all hazardous materials business plans, hazardous waste generator, and underground storage tank forms in paper/hardcopy format for 465 regulated businesses. Businesses have submitted their UPCFs in the past by mail, by email, by fax and directly to ESS staff, and some are now submitting their forms to ESS via the California Environmental Reporting System (CERS). Businesses that do not submit their forms or businesses that do not submit completed packages or packages with incorrectly filled-out forms and/or missing forms are kept in contact via phone calls, emails, courtesy mailings, site visits, and multi-page inspection forms, and they are tracked with the ESS's in-house developed database (ESS DB) until they have submitted all required correctly filled-out forms.

The ESS will use CERS for all business-to-CUPA required UPCF reporting and continue to use its own ESS DB for scheduling inspections, inspection data tracking, enforcement tracking, and billing. A CERS information page with CERS specific HMBP local agency submittal package, CERS database web links and web based training information has been added to the City Web site. The "Local" tab within CERS also has these links. Mailers have already been sent to all HMBP regulated businesses notifying them about the transition process and about what regulated businesses need to do to comply with the CERS requirements. The ESS is also planning on sending additional mailings in the future nearer our planned implementation date of January 1, 2013. Furthermore, CERS reporting requirements are being discussed during all business inspections with follow-up emails typically being sent afterwards. Mailers, site inspections, and post-inspection follow-up emails include CERS State resources and web links. The ESS has a dedicated computer in their office that regulated business managers without web access can use to develop their HMBPs online, and the City of San Leandro has multiple computers throughout their four library branches that can also be used by regulated business managers without web access.

The ESS has decided not to use a third-party contractor to capture current UPCF data for regulated businesses. The reason for this is two-fold, (1) the ESS wants the most current UPCF data to be initially entered into CERS, and (2) the ESS wants regulated business managers to own their CERS data and use it as an easy and convenient tool for future UPCFs updates. The ESS will not enter any facility owner/operator information or UPCF information into CERS for any business. Once a business has electronically submitted their facility owner/operator information, UPCF data, and uploaded locally required forms, the ESS inspector who is assigned to that business will review the regulated business's submission for accuracy and thoroughness, and will continue the process until all collected information and forms are accepted in whole. This will include validation between reported information within

CERS and previously collected information within the ESS DB. Additionally, the inspector will ensure that the CERS ID (Identified as field 1a in the Unified Program Data Dictionary (FINAL DRAFT) (Ver. 3.10)) and the ESS DB identification are the same. At this time it is unclear which field this will be in CERS, but the ESS DB currently uses a six-digit numeric identification number that could be used, modified, or an additional ESS DB field could be created to use the CERS generated identification number. Businesses may take advantage of basic CERS training that multiple Alameda County CUPAs are planning to implement during the summer of 2011 at multiple sites throughout Alameda County.

As new businesses become regulated after the CERS requirement date, CERS data will be used for the creation of the new business record within the ESS DB. The information currently held within the ESS DB is a small fraction of the data collected within CERS, so creation of a matching ESS DB will require less than fifteen minutes per facility including setting up an inspection and billing schedule. New ESS DB record creation will initially be done manually, but as the ESS DB is done in-house, this will be reexamined after electronic data transfer is fully online.

2. Needs Assessment

The ESS recognizes that converting their business-to-CUPA reporting system from paper hardcopies to electronic will require an assessment of the resources needed to implement the new information gathering system. There are some critical needs that the agencies must address in order to efficiently and effectively convert to and manage electronically reported data through CERS. The needs and the plan to address them are listed below:

- A. Business managers that do not regularly use a computer or do not have computer access will need assistance from the ESS and State resources to report data electronically. They will be able to take advantage of basic CERS training that is in the early planning stages of multiple Alameda County CUPAs that is tentatively scheduled for various dates throughout this summer. They will also have access to the Cal/EPA training and demonstration

modules already functional in the CERS web site help. Furthermore, they will have free access to computers through the City of San Leandro's four library branches and the dedicated computer in the ESS office – help from ESS staff will generally be available while using the ESS computer.

- B. The ESS will use CERS for all UPCFs uploads. Existing paper files will continue to be retained for non-CERS related documentation and be available for the public for file reviews. Additionally, a dedicated free PC will be available for the public to view CERS information.
- C. The ESS will continue to use its in-house designed and maintained FileMaker Pro ESS DB. The present version uses FileMaker Pro 5, but it will need to be upgraded to the latest FileMaker Pro 11 which has built-in custom web publishing and electronic data exchange ability using PHP and XML/XSLT technologies. It also has significantly enhanced custom report creation ability along with now being able to email reports with information taken from within FileMaker directly to others. Note: FileMaker Pro 11 now supports CSV, Tab, XML, ODBC, and Microsoft Excel electronic data exchange. All upgrades and maintenance will continue to be done in-house by the ESS staff member who designed and built the current version (DB designer) with support from the City's Information Services Division.
- D. The new FileMaker Pro 11 version of the ESS DB will be placed on a new server that will replace an older, slower server that is nearing the end of its anticipated service life. FileMaker Server 11 is required software that allows FileMaker Pro 11 to function properly with multiple simultaneous users. Additionally, it has enhanced security SSL encryption for secure data transfer, automatic clone copying ability, and enhanced network performance. The City of San Leandro Information Services will make these upgrades.

- E. The ESS inspectors will be upgrading to tablet PCs with CERS connectivity via wireless internet and Wi-Fi).. Additionally, the tablet PCs will have remote PC access which will enable them to directly source the ESS DB via the inspectors' personal office PCs along with access to all forms located on City of San Leandro network drives. As such, inspectors will have the ability to generate complete inspection reports in the field and deliver required forms before leaving the site. As these processes will become permanent changes of operations, fees associated with in-field wireless internet service, remote PC use, costs associated with wear and tear along with future upgrades of tablet PCs software will be permanent additional future costs. See (10) below for additional fee increase proposal.
- F. In addition, the DB designer is going to develop several new ESS DB layouts that will make it much easier to fill out, save, and send all required inspection reports while at the business site. The present ESS DB has two inspection databases; the general inspection database that includes all elements other than storm water, and the storm water inspection database that was developed by the Alameda County Clean Water Program. The database will be changed such that all requirements including storm water will be included in the general inspection database. Additionally the CERS violation tracking fields, identified in the Unified Program Data Dictionary (FINAL DRAFT) (Ver. 3.10) as fields 905 through 936 (but not limited to these fields should additional CERS fields be developed), will be included in the new version of the general inspection database. Lastly, new series of ESS DB layouts will be crafted using the CERS violation tracking fields that will identify each violation, program, type of violation, violation classification, violation date, violation scheduled return to compliance date, violation actual return to compliance qualifier, comments, UST significant operational compliance status along with citing the violation code section (statue, regulation, ordinance, and exact citing). To ensure that all require data is collected and in the correct format, ESS DB layouts (the individual screens or

“screen shots”) will follow a general form arrangement from start to finish. Inspectors will be instructed to use the “tab” function to ensure that all fields are entered and to use the “Next” button to go to successive ESS DB layouts. Once the inspector has tabbed through all the fields through all the individual ESS DB layouts, the inspection report will be complete and ready for printout or emailing as saved PDF reports. Note: all data is saved immediately upon entering it into the ESS DB; the saved PDF reports are reports made from saved data from the ESS DB that will be readily understandable to the regulated facilities as inspection reports. Due to storm water reporting requirements, the new general inspection version of the ESS DB will go into effect on 1/1/12.

- G. All ESS staff will need more CERS training and new equipment training. ESS staff will attend all State sponsored CERS inspector training and will take maximum advantage of CERS online resources under the help section. The ESS DB designer and City of San Leandro Information Services staff will conduct all new equipment/software training.
- H. The ESS will need grant funds from the State to fully implement electronic reporting. The ESS must pay for software upgrades, equipment upgrades, and purchase of new field reporting equipment.
- I. The ESS will ultimately require increased Unified Program fees for field electronic data management after the grant has been exhausted., It is anticipated that additional time will be required to fully document inspections at the inspection site within the ESS DB via the field PCs, but this will be more than offset with less time documenting inspections back at the office. Additionally, the quality of the inspection report should be improved while on site rather than post-inspection with a time-delay back in the office.

3. Collecting, Submitting, and Storing Unified Program Related Information

The ESS will use CERS for collecting, submitting, and storing Unified Program Information. CERS will collect and store local UPA information specified in the Title 27 data dictionary. CERS will also collect locally required non-Title 27 related UPA information maintained within

the CERS data dictionary. The ESS plans to complete the upgrade of its current ESS DB from FileMaker Pro 5 to FileMaker Pro11 along with the upgraded network server and FileMaker Server 11 software upgrade within forty five (45) days of CERS Grant award, which should be sometime in October or November of 2011. The upgraded ESS FileMaker Pro 11 based ESS DB will continue to do all inspection scheduling and tracking along with billings and permitting. Information collected from CERS underground storage tank UPCFs will be used in the ESS DB to develop UST permits. Businesses will need to electronically submit all required UPCF data and upload required documents directly to CERS. Note: The ESS will electronically submit inspection and enforcement information to the State using CERS when that function becomes available.

4. **Management of Data Changes/Updates**

The ESS will manage UPCF changes through CERS. Businesses will submit UPCF information directly into CERS. ESS staff will review submissions, compare the new submissions with previously submitted information using the CERS comparison tool, and will make an approval status determination. If a business data submission is not approved and/or is incomplete, ESS staff will enter a notation in CERS specifying what is needed to complete the approval process. Businesses that receive an incomplete approval status from ESS will receive an email notice of their status. Businesses will need to click on the email link to their CERS UPCF information to review ESS staff notations and make the required corrections. While the above steps will be rigorously followed to assure the completion of correctly developed UPCFs, direct phone calls, emails, and site visits between the business and the ESS will also be available as a resource to the business manager. Should owner/operator information be different between CERS and the ESS DB, then the ESS DB will be manually updated with the more recently submitted CERS information. Note: the ESS DB development is in-house and is easily upgradeable; therefore, the ESS DB developer may elect to use some

CERS fields to automatically update certain ESS DB facility owner/operator information fields at some time after the CERS 1/1/13 requirement date

5. Inspection/Enforcement

The ESS inspectors presently use paper-based inspection reports to collect inspection and enforcement information and then manually put that information into the ESS DB once they are back in the ESS office. The ESS DB is then used for violation and enforcement tracking along with scheduling reinspections and future routine inspections. The ESS DB is also used to poll the stored data and complete the current paper annual CUPA program reports submitted to Cal/EPA. Additionally, the ESS DB also tracks the fines associated with the enforcement actions resulting from the inspections. Once the CERS grant has been awarded, the ESS is planning on integrating tablet PCs into the field for generating CUPA inspection reports with the ability to immediately email all inspection reports to business managers. This will be accomplished using an application (supplied by the service provider) that will allow the tablet PC to access the inspector's personal office computer. As such, the inspector will be able to directly go into the ESS DB using their tablet PCs and directly utilize the new inspection ESS DB layouts discussed in section 2 (F). As the tablet PCs will have remote access to the inspectors' individual office PCs and the ESS DB, there will be little additional time requirements for the ESS inspectors to close-out the inspection once they have returned to the office; inspection documentation will be almost exclusively done while at the site of the business rather than post-inspection back at the office. This process should be more time efficient and inherently more accurate than when done post-inspection. Additionally, the tablet PCs will be able to use the additional inspection database functionality discussed previously in 2 (F). This sub-database will be initially populated with the violations on the CUPA's general program, UST, APSA and HW inspection forms and reference the code, regulation, or statute; and the statewide violation library upon its release as part of the CAL EPA CERS development. The sub-database will be further developed by the ESS inspectors themselves as they identify

and add violations which in turn will become available to all inspectors for future use. The FileMaker Pro 11 based ESS DB will have these new features built into it by the DB developer. Additional resources, links, and information will also be available via email from the tablet PCs to the business manager.

Inspection and enforcement information needed to complete CUPA Summary Reports will be managed in the ESS DB. The ESS will continue to submit paper versions of the Summary Reports to the State until CERS can accept inspection and enforcement information. At the present time, the exchange template on how and in what format the information must be exchanged between the local CUPAs and CERS has not been released, but the ESS is in good position to be able to quickly adapt to these requirements as the ESS DB developer is in-house. Once the exchange template has been released, the ESS DB will be modified to comply with all exchange template requirements and a system of uploading the inspection and enforcement information from the ESS DB to CERS will be developed and implemented.

6. Billing/Invoicing

The ESS will continue to use the ESS DB to generate required single fee invoices for the regulated community. Invoices from the ESS DB are then sent to the Finance department for billing. This part of the ESS DB is fully developed and requires no new updates. The ESS DB will also continue to be utilized for collecting, tracking, reporting and remittance of the state portion of the UPA single fee.

7. Training

As the ESS will continue to use the ESS DB, required training will be limited to the small number of ESS DB updates/changes/additions. However, there will be some training required for tablet PCs. It is anticipated that the majority of the required training will be directed into the basic functions of the tablet PCs and on how to use the remote PC access functions. All training will be handled in-house with the ESS DB developer and the City of San Leandro

Information Services personnel. This training will immediately follow tablet PCs procurement and ESS DB development. In addition, the ESS staff will continue to use all State CERS resources under the “Help” tab on the CERS website and will utilize State developed CERS training curricula developed for CUPAs.

The ESS will also fully participate with other Alameda County CUPAs in developing and presenting basic CERS training sessions for business managers throughout Alameda County. This training is in the early planning stage as of this writing, so there is not yet a scheduled timeframe for it, but it is anticipated that it is going to occur on various dates and locations in the summer of 2011. The intent of this training is to guide businesses through the general operation of CERS so they can effectively develop their UPCFs online. CERS technical issues must be addressed by the CERS administrator at cers@calepa.ca.gov. Periodic CERS bulletins from the State and ESS updates will be forwarded to businesses by mail and email as necessary. Lastly, the ESS inspectors will avail themselves to business managers on an as-needed basis for CERS help/guidance, but with the understanding that their CERS issues may ultimately need to be addressed by the CERS administrator.

8. Help System

The ESS will offer basic levels of assistance for CERS to business managers. Business managers may call or email any ESS staff member for assistance, but they should first contact the ESS inspector that is assigned to their business, as that ESS inspector most understands their business. The ESS will continue to compile CERS fact sheets, links, guidance documents, and will disperse all CERS training opportunities to all business managers in need of assistance. For more technical or complicated CERS issues and support, business managers and ESS staff will contact the CERS administrator by email at CERS@calepa.ca.gov.

9. Service Contract and Grant (fiscal)

The ESS will apply for electronic reporting grants using the State provided application. The funds will be used to cover the initial costs of implementing electronic reporting. The fund distribution to the ESS will request is as follows:

City of San Leandro, Environmental Services Section's allocations: \$45,810

ESS funds will be used as follows (figures are as close as possible, but costs may fluctuate):

- Hardware (new computers, tablet PCs, new network server) - \$22,521.58
- New software (latest version of Filemaker Pro and Filemaker Server) - \$3,588.28
- Develop new CERS Ready ESS DB and electronic data exchange - \$8,743.68
- ESS Staff training (new ESS DB, tablet PCs and applications) - \$1,214.40
- Legal services - \$1,000.00
- Affected businesses outreach and training - \$8,742.06

10. Ongoing Support and Maintenance

The additional ongoing costs of implementing electronic reporting include the tablet PCs' monthly wireless service plans, the ESS remote PC access plan, and planned future software and hardware replacement costs associated with normal wear and tear. To cover these costs, an annual electronic reporting fee will be added to regulated businesses that will cover these additional costs. A fee increase proposal will be sent to the City Council for approval in April, 2012. If approved, the fee increase will take effect in fiscal year 2012 – 2013. Note: the proposed fee is expected to be less than the annual surcharge fee collected during the three-years that were collected to implement the CERS program.

11. Electronic Reporting Transition Plan Tracking

The ESS will submit their Electronic Reporting Transition Plan and grant application to Cal/EPA on or about [August 22, 2011](#). Quarterly, as stated in the Grant Agreement, the ESS

will submit a status report and invoice to Cal/EPA. The following tables denote the list of milestones that will be tracked and reported to Cal/EPA.

Milestones Reported to Cal/EPA		Date (Month/Year)
1	Estimated/Actual Start date of the UPA Electronic Reporting Transition Plan	January, 2011
2	UPA Select Preferred Data Exchange Methodology	January, 2011
3	Electronic Reporting Transition Plan & Grant Application Submitted	May, 2011
4	Cal/EPA Awards Grant	July, 2011
5	Transfer of existing data from UPA system to CERS Complete	June, 2012
6	Authorized Business Electronic Submission	April, 2010
7	CERS Data Exchange operational: Business data	June, 2012
8	CERS Data Exchange operational: Inspection & Enforcement Data	December, 2011
9	CUPA Electronic Reporting Transition Process Complete (including PAs)	December, 2012

Milestones Tracked by the ESS		Date (Month/Year)
1	Authorized Business Electronic Submission	April, 2010
2	Purchased new computers and monitors	November, 2010
3	Train staff on CERS	ongoing
4	Purchase tablet PCs	November, 2011
5	Upgrade FileMaker Pro ESS database and install new network server	December, 2011
6	Complete training of FileMaker Pro ESS update and use of tablet PCs	December, 2011
7	Conduct Alameda County business outreach CERS training	May, 2012
8	CERS data exchange between ESS DB and CERS operational	June, 2012

Blank dates indicates still need to be done; additional lines may be added as needed

12. AB 2286 Grant Application Process

The ESS will submit its Electronic Reporting Transition Plan along with its grant application to the State. Status reports on the use of grant funds will be submitted to Cal/EPA periodically before release of grant funds to the ESS.