

## 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.

Violation Details							Create Violation
	Occurred On	Type	Class	Actual RTC	RTC Qualifier	Violation Comment	
Select	10/15/2015	Hazardous Waste Generator: Operating recklessly under permit	Class 1			OBSERVATION: Based on accumulation start date of 9/30/13 on one black metal open-op 55-gallon drum with hazardous waste label containing oily solids the storage of hazardous waste beyond 180 days. CORRECTIVE ACTION: Immediately contact hazardous waste contractor and properly dispose of this oily solids. Send a copy of the disposal documentation to <a href="mailto:jerry.yoshioka@acgov.org">jerry.yoshioka@acgov.org</a>	
Select	10/15/2015	Small Quantity Generator: Aisle Space	Class 2			OBSERVATION: No clearance around hazardous waste containers for inspection of the containers. CORRECTIVE ACTION: Clear area around hazardous waste drums to allow for inspection of hazardous waste containers.	
Select	10/15/2015	Hazardous Waste Generator: Hazardous Waste Labeling Standards	Minor			OBSERVATION: One 55-gallon black metal open-top drum with hazardous waste label as "TEST WATER". CORRECTIVE ACTION: Re-label as non-hazardous test water or retain label as hazardous waste and add accumulation start date and contents as "non-RCRA hazardous waste liquid: oily water".	
Select	10/15/2015	Small Quantity Generator: Hazardous Waste Accumulation Exceeded Within 180 Days	Class 2			OBSERVATION: One 55-gallon black metal open-top drum with hazardous waste label stating "OILY SOLID" has accumulation start date of 9/30/13. Based on the accumulation start date the hazardous waste was stored beyond 180 days without a hazardous waste storage permit. CORRECTIVE ACTION: Immediately contact hazardous waste contractor and properly dispose of this oily solids. Send a copy of the disposal documentation to <a href="mailto:jerry.yoshioka@acgov.org">jerry.yoshioka@acgov.org</a>	
Select	10/15/2015	Small Quantity Generator: Weekly Hazardous Waste Storage Area Inspection	Minor			OBSERVATION: Weekly inspection of containers containing hazardous waste not being conducted. CORRECTIVE ACTION: Conduct weekly inspections of containers of hazardous waste. It is recommended that this inspection is documented.	

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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**Edit Violation: Grand ARCO ampm (CERS ID: 10406134)**  
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**Edit Violation**

Delete Save + Create Copy Save + Add Another Save + Edit Next Save Cancel

<p><b>Inspection Details</b></p> <p>Facility Grand ARCO ampm          Date 10/15/2015          Program Hazardous Waste Generator          Type Routine          Data Status Approved</p>	<p><b>Violation Type Definition</b></p> <p>Type Number 3040003          Name Hazardous Waste Generator: Operating recklessly under permit          Citations HSC 6.5 25186, 25186.2          Program Hazardous Waste Generator          Category Release/Leaks/Spills</p>
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**Violation Description**  
 Failure to properly handle, store, or treat hazardous waste or provided false information submitted on the permit application and other documents.

**Violation Details**

Class <b>Class 1</b>	Violation Date 10/15/2015	Actual RTC Qualifier	Comment OBSERVATION: Based on accumulation start date of 9/30/13 on one black metal open-top 55-gallon drum with hazardous waste label containing oily solids the storage
Scheduled RTC Date 11/14/2015 <small>e.g., 99/99/9999</small>	Actual RTC Date		

**Linked Enforcement Actions**

Occurred On	Type of Enforcement Action	Type of Formal Enforcement Action	# Violations	Comments

Created By: EDT Access Account EDT Access Account on 10/20/2015 10:20 AM  
 Last Updated By: EDT Access Account EDT Access Account on 10/20/2015 10:20 AM  
 EDT Transaction: 10/20/2015 10:20 AM / 7CF0ED10-358C-41D7-B420-A0B2A62F3D39

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