LOS ANGELES FIRE DEPARTMENT

MILLAGE PEAKS
FIRE CHIEF

April 18, 2011

TO: Board of Fire Commissioners

FROM: Millage Peaks, Fire Chief uuf.f

SUBJECT: **APPROVAL OF LOS ANGELES FIRE DEPARTMENT AGREEMENT WITH
CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY TO ACCEPT
GRANT MONIES FOR THE PURPOSE OF IMPLEMENTING THE STATE
ELECTRONIC REPORTING REQUIREMENTS.**

FINAL ACTION: _____ Approved	_____ Approved w/Corrections	_____ Withdrawn
_____ Denied	_____ Received & Filed	_____ Other

<u>**Recommendations:**</u> That the Board:

1. Approve the acceptance of directed grant funds from the State of California
    Environmental Protection Agency for the oversight surcharge to the local Certified
    Unified Program Agency to expend for the purpose of implementing the Electronic
    Reporting Requirements per Assembly Bill (AB) 2286.

2. Instruct the Commission Executive Assistant to forward this report to the Mayor, City
    Council, City Administrative Officer and City Legislative Analyst's Office for review and
    approval in accordance with Division 14 of the Los Angeles City Charter and
    Executive Directive No. 3.

3. Request the Mayor and City Council to authorize the Fire Chief to execute the
    attached agreement and accept the directed grant award in the amount of
    $349,328.00 from Cal/EPA for the purpose of implementing the Electronic Reporting
    Requirements, the term of the Agreement beginning upon approval and ending on
    March 31, 2013, or any extension approved in writing by the grantor.

4. Instruct the Department to utilize a unique work order number to track all costs
    associated with the AB2286 directed grant.

5. Request the Mayor and City Council to authorize the Fire Chief, or his designee, to
    deposit the received Cal/EPA grant advanced payment, in amount of $87,332, into
    Los Angeles Fire Department (LAFD) Grant Fund No. 335, Department 38, account
    number to be determined.

6. Request the Mayor and City Council authorize the Los Angeles Fire Department to expend funds from various salary and expense accounts to cover personnel and other expense costs which will be reimbursed by the Cal EPA.

7. Request the Mayor and City Council authorize the Los Angeles Fire Department to deposit reimbursement funds from Cal EPA into 335/38.

8. Request the Mayor and City Council authorize the Controller's office to authorize the LAFD to reimburse those accounts from which funds are utilized to cover the Cal EPA AB 2286 directed grant.

9. Request the Mayor and City Council to authorize the CAO to make any necessary technical corrections and to revise any Controller Instructions consistent with this action.

Summary:

AB 2286 (Feuer) went into effect January 1, 2009, and requires all regulated businesses and all regulated local government agencies, Unified Program Agencies (UPAs), to file regulatory required information electronically. This includes facility data regarding hazardous materials regulatory activities, chemical inventories, underground and aboveground storage tanks, and hazardous waste generation. It also includes UPA data such as inspection and enforcement actions. All regulated businesses and UPAs must file electronically by January 1, 2013.

As a result of AB 2286, the State notified the City of Los Angeles of a directed grant application for the disbursement of funds for the purpose of local CUPA's implementing the Electronic Reporting Requirements. AB 2286 authorizes the Secretary of the Cal/EPA to determine the amount of the surcharge fee increase to be charged to businesses to implement the statewide system.

The surcharge fee was established at $25.00 per business and became effective July 1, 2009 and may only be collected for three years.

Cal/EPA was required to determine the amount of funds from the increased surcharge revenue that is available to the local CUPAs to implement the electronic reporting system locally. The Cal/EPA Secretary, using a fund distribution formula, determined the grant allocation amount for each CUPA. LAFD CUPA was allocated $349,328 based on 9,289 regulated businesses in its jurisdiction.

On April 15, 2010, Cal/EPA notified LAFD of its grant allocation and conditions of the grant. The grant covers direct and contractual costs of implementing the Electronic Reporting Requirements. The LAFD has developed an Electronic Reporting Transition Plan to address the local implementation of the Electronic Reporting Requirements, as part of the grant application process. LAFD will provide the LAFD CUPA portal as a secure means of publishing, receiving, managing and archiving electronic data. Data submitted by the regulated businesses into the portal will synchronize with Envision/EnvisionConnect data base, and

Envision/EnvisionConnect which in turn will synchronize with the California Environmental Reporting System (CERS).

The directed grant funds will be used to offset costs associated with migrating from existing Envision data base to EnvisionConnect including staff training, purchasing necessary computer equipment, and providing outreach and training to the business community to assist them in meeting the requirements of electronic reporting. The projected cost breakdown includes $60,000 for equipment, $244,628 for personnel services and $44,700 for consultant services.

The Risk Management and Prevention Program Specialist will act as program manager and lead liaison with Cal/EPA, and along with the Management Analyst II will perform such duties as Electronic Reporting grant administration (including monitoring the grant budget) and managing the implementation process. The projected cost estimates for this grant program are included in Attachment 2: Grant Application.

Fiscal Impact:

The California Environmental Protection Agency will provide $87,332 (25%) of the grant award up front to the LAFD CUPA. The LAFD is required to provide the remaining balance of the award up front, and which will be reimbursed by Cal/EPA. Overall there is no financial impact to the LAFD or City. The on-going CUPA program maintenance costs will be offset by program fees collected by the City of Los Angeles.

Conclusion:

The LAFD is mandated by the State to manage the hazardous materials data electronically by January 1, 2013. Upon approval by the Los Angeles Mayor and City Council to receive $349,328 in directed grant funding to implement the Electronic Reporting Requirements, Cal/EPA will sign the grant agreement with the LAFD. LAFD will be reimbursed for approved expenses incurred during the period of performance of the grant up to the total allocation of $349,328.

Board report prepared by Anna Olekszyk, Risk Management and Prevention Program Specialist, Bureau of Fire Prevention and Public Safety.

Attachments:

1   Transition Plan
2   Grant Application

ELECTRONIC REPORTING TRANSITION PLAN

TRANSITION PLAN REPRESENTATIVE
Name of Project Director, Title: **Anna Olekszyk**
Street Address: **200 North Main Street Suite 1780**
City, Zip: **Los Angeles, CA 90012**
Phone: **213-978-3686**
Fax: **213-978-3615**
E-mail: **anna.olekszyk@lacity.org**
Total Number of Regulated Businesses : **9,289**

Los Angeles Fire Department (LAFD) hereto referred to as Certified Unified Program Agency (CUPA).

1. General Description of Transition Plan

All regulated businesses will be expected to submit Unified Program Consolidated Forms (UPCFs) information electronically via the LAFD CUPA Portal by January 1, 2013. The CUPA provides for contingency by which paper based UPCFs may be accepted and submitted through Envision/EnvisionConnect for up to 6 months. Refer to section 3 for more information.

Multi-jurisdictional businesses (MJBs) may submit via CERS.

Currently, CUPA collects forms for the following programs:

COLLECTION METHOD	COLLECTED BY	CUPA PROGRAM
Paper	CUPA	Hazardous Materials Business Plan
Paper	CUPA/PA	Hazardous Waste Generator and Hazardous Waste Onsite Treatment Programs
Paper	CUPA	California Accidental Release Preventions (CalARP) Program
Paper	CUPA	Underground Storage Tanks
Paper	CUPA	Aboveground Storage Tanks
Paper	CUPA	Uniform Fire Code Hazardous Material Management Plans and Inventories

Regulated businesses submit their paper based UPCFs by mail, or directly to CUPA staff.

CUPA will use the contractor to capture all current UPCF data for electronic transition and transfer to Envision/EnvisionConnect.

CUPA will upload existing EnvisionConnect UPCF data to CERS. CUPA will capture the assigned CERS ID for future data exchanges. After initial upload, CUPA will participate in a frequent two-way data exchange between EnvisionConnect and CERS in order to synchronize the two systems.

Transferred electronic data will be validated initially by clerical staff; however, businesses will be required to review their data online within 2 months after the transfer and update it if there are changes. CUPA will notify businesses by a mailed courtesy letter of the completed transition and transfer of their data.

CUPA staff will review ongoing electronic submissions to determine approval status. After data transition is completed for most businesses, paper UPCFs will be accepted, approved, and entered by CUPA for up to 6 months afterwards. After 6 months, businesses will need to enter their data online directly.

CUPA inspection staff will assist businesses with LAFD CUPA Portal operation onsite if possible. Online submittals will undergo an initial completeness review by CUPA clerical staff that will set submittal status as either "received" or "in process". CUPA inspection staff will perform more comprehensive reviews and make final approval decisions.

Mailers will be sent to businesses to notify them about the transition process and about actions required for business owners to be in compliance. In addition, Cal/EPA resource web links will be included in the mailers and on CUPA web site so that businesses have access to more information about electronic reporting requirements.

Businesses may take advantage of scheduled training as outlined in Section 7.

2. Needs Assessment

CUPA recognizes that converting their business-to-CUPA reporting system from paper/hardcopy to electronic will require an assessment of the resources needed to implement the new system. There are some critical needs that must be addressed 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:

- Apply for Cal/EPA Electronic Reporting Grant Funds to fully implement electronic reporting.
- Review and consider fee adjustments to cover long-term operational costs.
- Extend existing contract with Decade to cover EnvisionConnect Upgrade and EnvisionConnect Portal.
- Upgrade current data management system to EnvisionConnect to be able to download UPCF information from CERS and to store and transfer Inspection and Enforcement information.
- Assess existing data for completeness, accuracy, and compliance with Title 27 Data Dictionary.
  - Service 1: Data Assessment (Gap Analysis) – Decade Software staff evaluate the CUPA's existing data for completeness, accuracy, and compliance with Title 27 Data Dictionary. The result is a Data Gap Analysis report.

o Service 2: Data Remediation (Data Remediation Plan) – Management Information System (MIS) staff work with CUPA to author a Data Remediation Plan based on findings in the Data Gap Analysis report.
o Service 3: Data Remediation (Scripting Services) – MIS staff design, test, and implement SQL scripts necessary to satisfy Data Remediation Plan.
- Implement EnvisionConnect Portal.
- Transfer CUPA hardcopy documents to EnvisionConnect, EnvisionConnect Portal, and CERS using contractor to scan and transcribe paper records to an electronic format (data capture).
- Implement and configure EnvisionConnect's machine-to-machine data exchange with CERS.
- Review and update procedures for managing CUPA program.
- Conduct LAFD CUPA Portal training for CUPA staff.
- Conduct LAFD CUPA Portal training for businesses.
- Accommodate businesses that do not regularly use a computer.
- Obtain EnvisionConnect and EnvisionConnect Portal technical support from Decade Software.

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

CUPA will exchange data with CERS through Envision/EnvisionConnect.

Regulated businesses will submit their information online into the LAFD CUPA Portal. By exception, CUPA may collect paper / hardcopy data from the regulated businesses and enter data into EnvisionConnect. Kiosks will be provided at the Environmental Unit public counter for the customers use to submit required data.

The EnvisionConnect Portal will synchronize with EnvisionConnect, which then will synchronize with CERS.

Any documents such as site plans, facility maps, and emergency contingency plans will be transferred with submission data.

4. Management of Data Changes/Updates

Businesses will submit UPCF changes/updates using the EnvisionConnect Portal.

CUPA staff will review submissions, compare with previously submitted information using the EnvisionConnect Portal, and will make a determination on the approval status.

If a business submission is not approved, CUPA staff will enter a notation in the EnvisionConnect Portal specifying what is needed to complete the approval process.

Businesses that receive an incomplete approval status from CUPA will receive an email notice of their status. Businesses will make the required corrections and resubmit.

Approved submissions will be transferred to EnvisionConnect and CERS.

5. Inspection/Enforcement

Inspectors will use paper forms to record inspection and enforcement information in the field. Inspectors or clerical staff will transcribe inspection results into Envision.

Inspectors will schedule inspections in Envision. CUPA will use Envision to push inspection and enforcement information to CERS at a yet to be defined frequency acceptable to Cal/EPA.

After upgrading the system to EnvisionConnect the electronic inspection system will be implemented.

6. Billing/Invoicing

CUPA will use Envision to generate invoices for regulated facilities. Envision will utilize localized UPCF information to assess fees and generate permits.

7. Training

Staff Training

As part of the CUPA upgrade to EnvisionConnect, Decade Software will provide two days of comprehensive onsite training for management, inspection, and administrative staff. New staff will be scheduled for the initial EnvisionConnect training within two weeks after hire. CUPA management will administer data management system training for all new hires.

CUPA will take advantage of ongoing online training provided by Decade Software.

CUPA will provide CERS training to inspection staff based on the anticipated Cal/EPA curriculum. The purpose of this training is to guide inspectors through the general operation of CERS. Inspectors will be expected to transfer this knowledge to businesses as they meet with operators in the field.

Business Training

a) CUPA will conduct regular outreach and provide ongoing training to the regulated community, utilizing Cal/EPA approved curriculum. Staff will be available two days a week, from 4:00 p.m. to 6:00 p.m. for the first two months to provide open training and assistance on as needed basis.
b) CUPA will begin CERS training starting January 2012/2013 and provide ongoing training for new businesses.

8. Help System

CUPA will offer a basic level of assistance for the EnvisionConnect Portal to regulated businesses. Businesses may call or email CUPA clerical staff for this assistance, but inspection staff may help as well. CUPA web site will contain guidance on the general operation of the EnvisionConnect Portal.

For technical or complicated issues, with the EnvisionConnect Portal or the EnvisionConnect data management system, CUPA staff will contact Decade Software Technical Support by email at support@decadesoftware.com or the help line at 800-233-9232.

9. Service Contract and Grant (fiscal)

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

	Activity	Applied to Grant Category	Total Cost
LAFD CUPA	Hardware (new computers, backup server)	[Equipment]	$60,000
	Hardware (installation, configuration)	[Personnel]	$80,000
	Business Outreach	[Personnel]	$50,000
	Training (regulated businesses, UPA staff)	[Personnel]	$50,000
MIS	Optional Data Remediation – Data Remediation Plan	[Personnel	$7,350
MIS	Optional Data Remediation – Scripting Services	[Personnel	$12,700
	CUPA Staffing for Portal Implementation	[Personnel	$70,000*
Decade Software	EnvisionConnect Upgrade Contract (includes Training, Vendor Operating Expenses for Travel, Per Diem, and Accommodations associated with onsite training)	[Professional /Consultant Services]	$8,610
	Optional Data Assessment - Gap Analysis	[Professional /Consultant Services]	$14,700
Professional/ Consultant Services - TBD	Optional Scan/Data Capture Services	[Professional /Consultant Services]	$67,616
	Total E-Reporting Transition Cost		$420,976
	Less Optional State Service Contract Fees (e.g., Scanning)		$67,616
	Less Total Grand Funds Available		$349,328
	Net Cost to CUPA		$4,032

* Estimate which includes indirect costs.

10. Ongoing Support and Maintenance

CUPA's annual EnvisionConnect costs do not change with CERS e-reporting. Annual expenses are already part of the CUPA's current annual budget.

CUPA's annual EnvisionConnect costs increased with the implementation of the EnvisionConnect Portal. CUPA will support ongoing additional costs by annual fees.

11. Electronic Reporting Transition Plan Tracking

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

Milestones Reported to Cal/EPA		Date
1	Estimated/actual start date of the CUPA Electronic Reporting Transition Plan	02/2011
2	Date CUPA select preferred data exchange methodology	10/2009
3	Date Electronic Reporting Transition Plan & Grant Application submitted	04/2011
4	Date Cal/EPA awards grant	
5	Date transfer of existing data from UPA system to CERS complete	01/2012
6	Date authorized business electronic submission	07/2012
7	Date CERS data exchange operational: business data	01/2013
8	Date CERS data exchange operational: inspection & enforcement data	01/2013
9	Date CUPA electronic reporting transition process complete (including PAs)	01/2013

Milestones Tracked by CUPA		Date
1	Upgrade to current version of EnvisionConnect	01/2014
2	Transfer CUPA hardcopy documents to EnvisionConnect (if applicable)	[MM/YYYY]
3	Data remediation complete	[MM/YYYY]
4	Business outreach and training complete	07/2012

12. SB 2286 Grant Application Process

CUPA will submit its Electronic Reporting Transition Plan along with its grant application to the Cal/EPA. This Plan has been coordinated with the only PA, Los Angeles County Fire Department. Status reports on the use of grant funds will be submitted to Cal/EPA periodically before release of grant funds to the CUPA.

GRANT APPLICATION FORM

1. Entity Information:

Unified Program Agency Name: LOS ANGELES FIRE DEPARTMENT (LAFD)

GRANTEE LOS ANGELES FIRE DEPARTMENT	GRANT CONTACT (if different from Project Director)
Name of Project Director, Title: TIMOTHY KERBRAT, Technical Section Commander	Name: ANNA OLEKSZYK
Street Address: 201 NORTH FIGUEROA STREET, SUITE 1500	Street Address: 200 NORTH MAIN STREET, SUITE 1780
City, Zip: LOS ANGELES, CA 90012	City, Zip: LOS ANGELES, CA 90012
Phone: 213-482-6537	Phone: 213-978-3686
Fax:	Fax: 213-978-3615
e-mail: timothy.kerbrat@lacity.org	e-mail: anna.olekszyk@lacity.org

2. Grant Amount: $ 349,328.00

a. Advanced payment Requested: $87,332
(Up to 25% of the grant is authorized to be paid in advance on approval of the grant.)

3. Scope of Work

Per AB 2286 reporting requirements, all regulated businesses will be expected to submit Unified Program Consolidated Forms (UPCFs) information electronically by January 1, 2013. LAFD is planning to provide the LAFD CUPA Portal as a secure means of publishing, receiving, managing and archiving electronic data. Data submitted by the regulated businesses into the Portal will synchronize with EnvisionConnect, and EnvisionConnect will synchronize with the California Environmental Reporting System (CERS).

In order to accept and exchange data with CERS, LAFD will need to transition from Envision to the latest version of Envision Connect and at the same time make the Portal available to the public. Awarded Grant funds will be used to offset costs associated with migrating from Envision to EnvisionConnect including staff training, purchasing needed computer equipment to implement an electronic field inspection program, and to provide outreach and training to the business community to assist them in meeting the requirements.

General implementation activities and anticipated timelines are indicated in the table below:

Milestones Tracked by LAFD		Date Month/Year
1	Upgrade to current version of EnvisionConnect	01/2014
2	Data Remediation complete	01/2012

3	Train CUPA staff in EnvisionConnect and CERS	01/2012
4	LAFD CUPA Portal available to the public	07/2012
5	Transfer of Existing Data to Envision/EnvisionConnect complete	07/2012
6	Data Exchange with CERS complete	01/2013
7	Business Outreach and Training complete	01/2013

4. Work Plan

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

1. Grant Application and Transition Plan
   a. Submit completed Application and Transition Plan to Cal/EPA for approval
2. Secure City Council resolution to accept Grant.
   a. Draft a letter to Board of Fire Commissioners
   b. Schedule item for Board meeting.
3. Secure EnvisionConnect upgrade contract with Decade Software.
4. Schedule EnvisionConnect upgrade and complete all preliminary steps prior to upgrade.
   a. Complete configuration wizard
   b. Perform data capture utilizing contractor services
   c. Complete data assessment and any needed data remediation
   d. Run EnvisionConnect in test environment.
5. Complete EnvisionConnect upgrade and staff training by Decade.
6. Implement LAFD CUPA Portal and make the kiosks available to the public.
7. Complete data transfer of existing data from Envision/EnvisionConnect system to CERS.
8. Begin regulated businesses outreach efforts
   a. Prepare and mail LAFD CUPA Portal as well as CERS information notification letter
   b. Review State curriculum for CERS training
9. Begin implementation of electronic field inspection program
   a. Purchase required equipment
   b. Develop inspection checklists
   c. Train inspectors on use of field inspection program.
10. Continue business outreach efforts
    a. CUPA will offer basic level of assistance for the LAFD CUPA Portal: web-based, by e-mail or in person by CUPA staff.
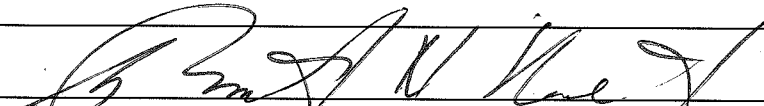   b. CUPA will arrange with Decade Software for technical assistance by e-mail or telephone help line.

5. Projected Budget:

Program Costs	Fiscal Year 09/10	Fiscal Year 10/11	Fiscal Year 11/12	Fiscal Year 12/13
Personnel Services*	$	$	$200,000	$44,628
Operating Expenses	$	$	$	$
Travel Expenses	$	$	$	$
Supplies/Materials	$	$	$	$
Equipment/Software	$	$	$ 60,000	$
Professional/Consultant Services	$	$	$ 44,700	$
FISCAL YEAR TOTAL	$0	$0	$304,700	$44,628
TOTAL				$349,328

*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 of behalf of the application. 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

Timothy Kerbrat,Technical Section Commander

Printed Name of Applicant