CIWQS WorkBook 8

Create & Maintain Regulatory Measures

Objectives

- Create a new Regulatory Measure
- Create a new Enforcement Action
- Create a Liability and link it to an Enforcement Action
- Create Milestones
- Maintain billing information for a regulatory measure

Prerequisites

- None

Business Rules

- Regulatory measures must have related organizations and facilities

From the main menu, click the "**Create/Maintain Regulatory Measures**" button.

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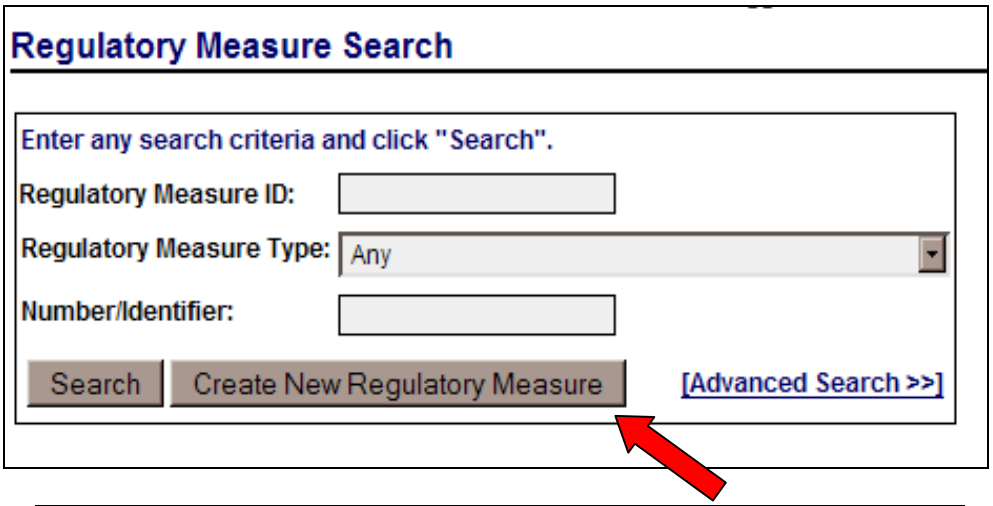
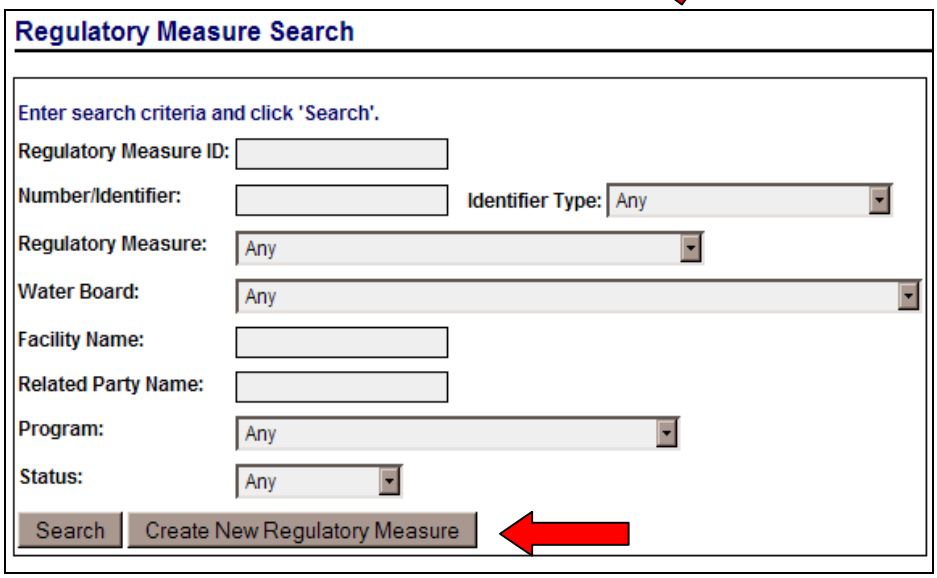
Create & Maintain Regulatory Measures

1. Click the "**Create New Regulatory Measure**" button through either the simple or advanced search screen.

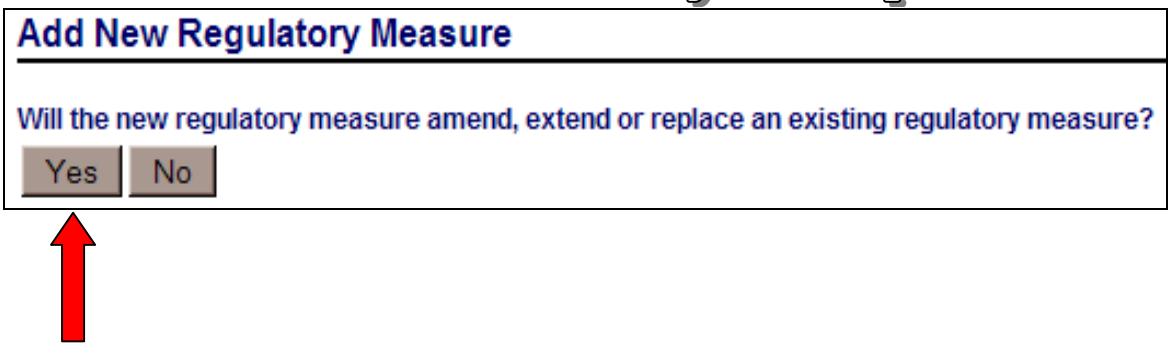


Simple Search View

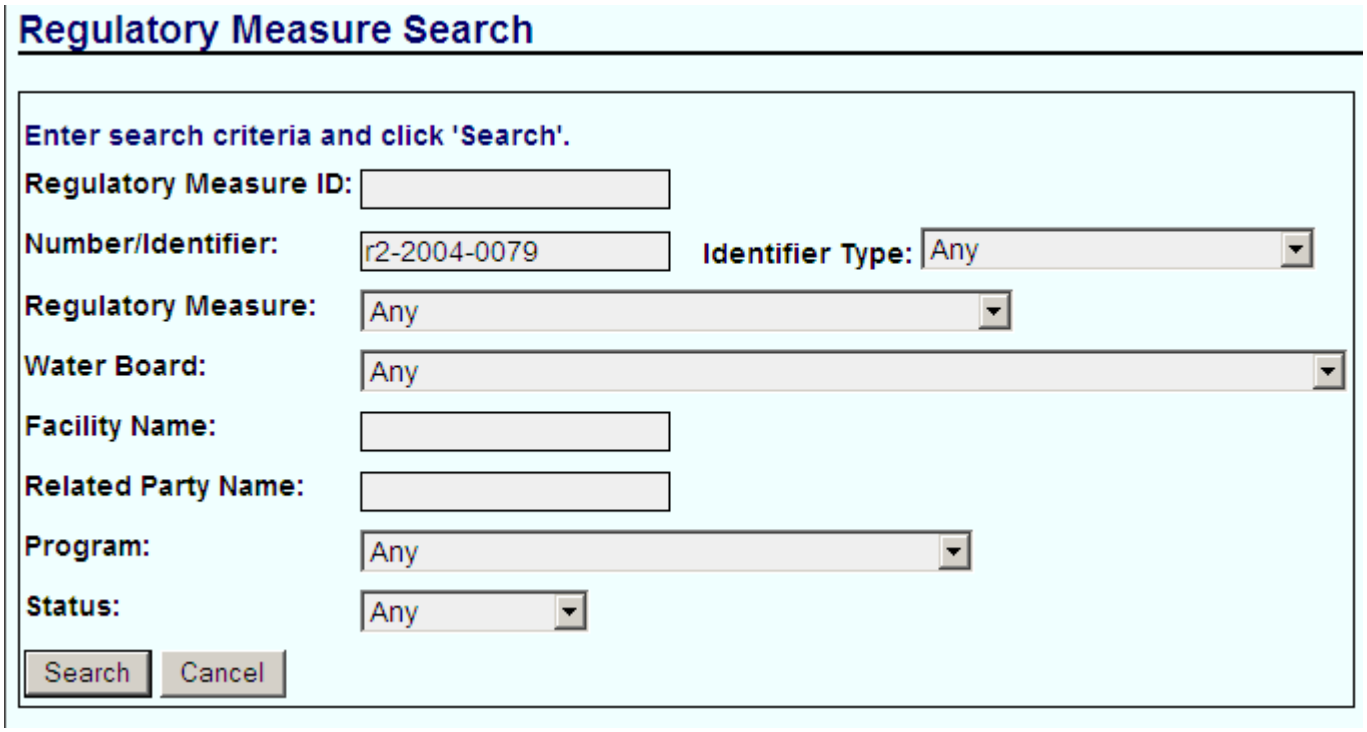


Advanced Search View

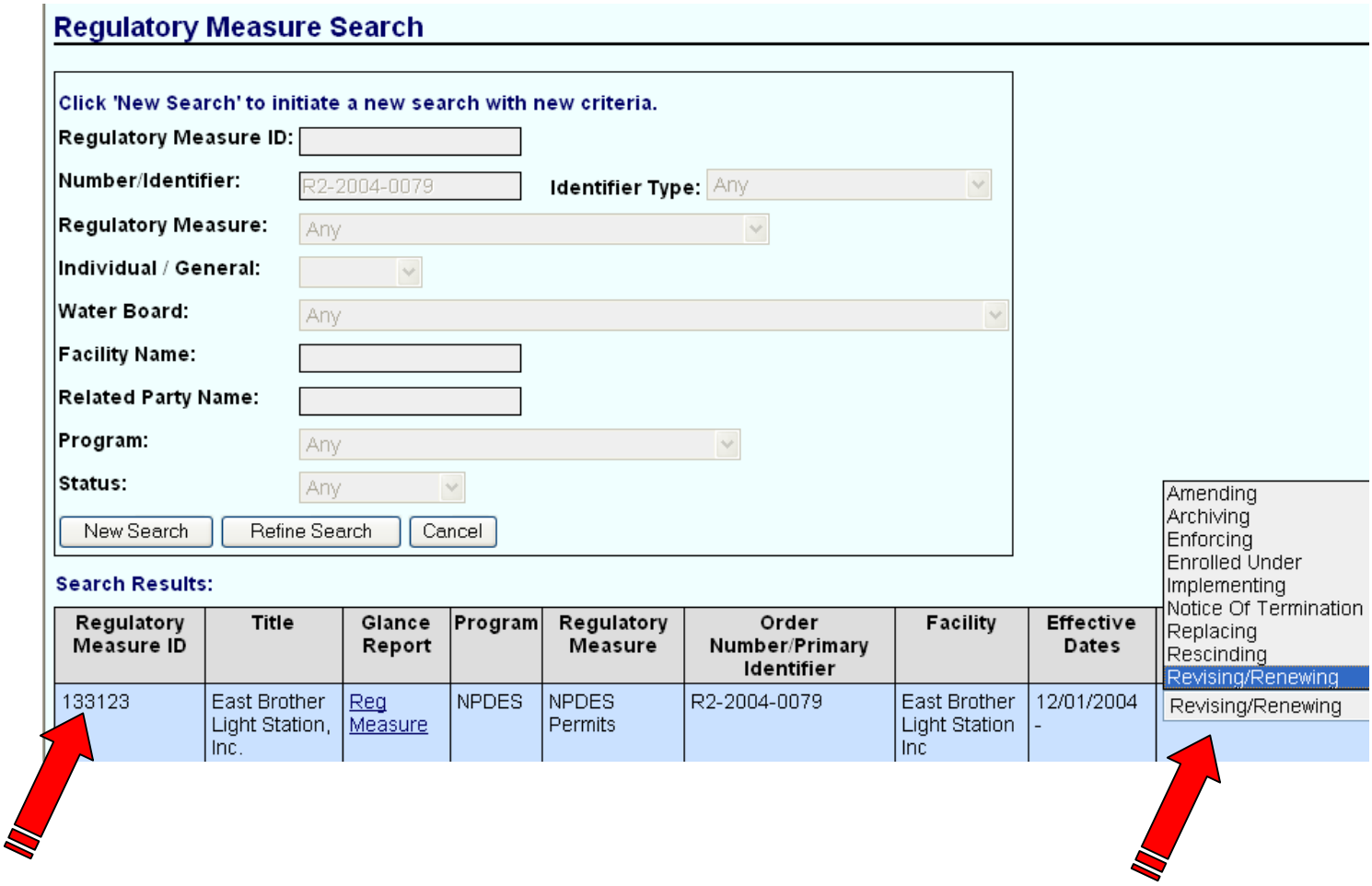
2. You will be asked if this new Regulatory Measure is based on an existing Regulatory Measure. Click the "**Yes**" button.



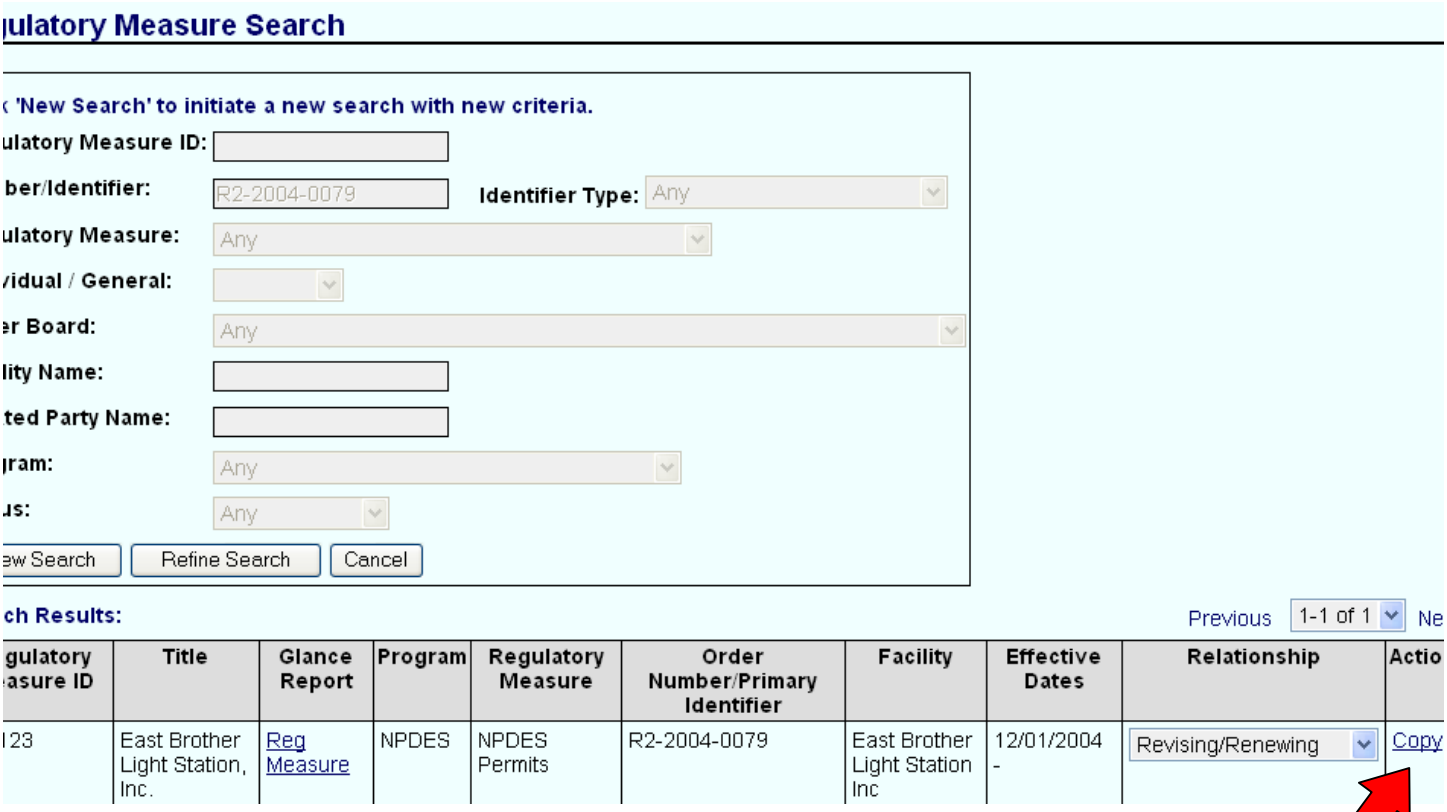
3. On the Regulatory Measure Search screen, type the order number in the identifier field. In this example, use R2-2004-0079 for the regulatory measure number.



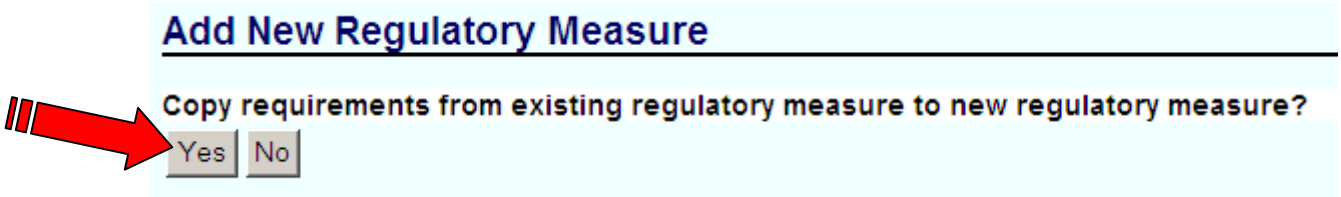
4. On the Regulatory Measure Search Results screen shown below, note the Reg Measure ID number in the lower left corner of the page. This may be needed later. Select "Revising/Renewing" from the Relationship drop down menu for the appropriate regulatory measure.



5. Click on the "**Copy**" hyperlink in the "Action" column on the far right side of the page.



6. When prompted to "Copy requirements from existing regulatory measure to new regulatory measure?" click "**Yes**".



The screen below applies to “General” permits. This type of permit can be thought of as a template for multiple facilities. Unrelated organizations can then enroll under the terms of the permit. Our example is using an “Individual” NPDES permit which is written for a specific discharger. Because of this we will select “No”.

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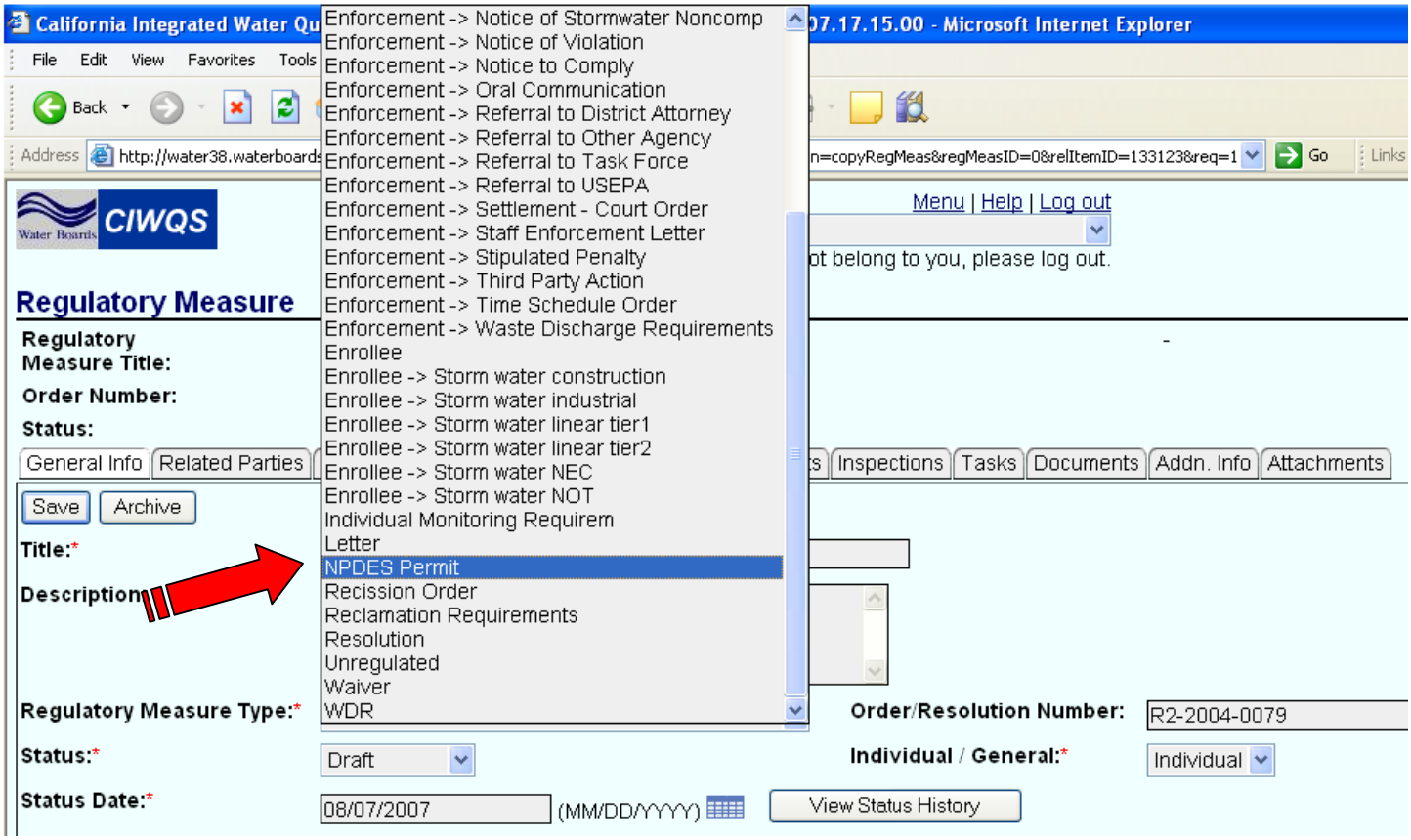
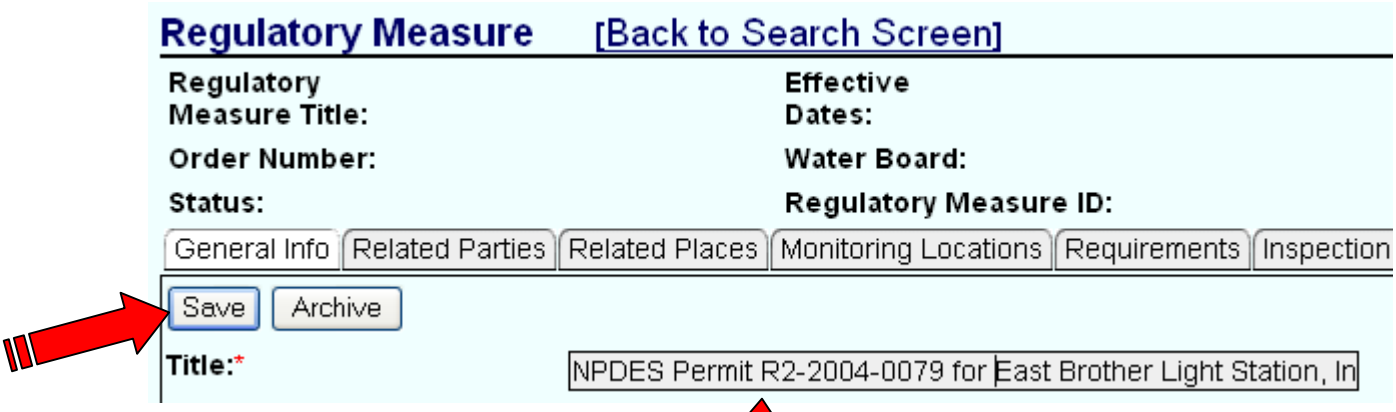
When the new Regulatory Measure screen appears, pick “NPDES Permit” from the Regulatory Measure Type drop down menu. Notice that the Individual / General dropdown defaults to Individual and also that the Header information fields (Reg Measure Title, Status, etc.) are empty.



Enter the title of the new Reg Measure following the format outlined in the Reg Measure section of the Business Rules.



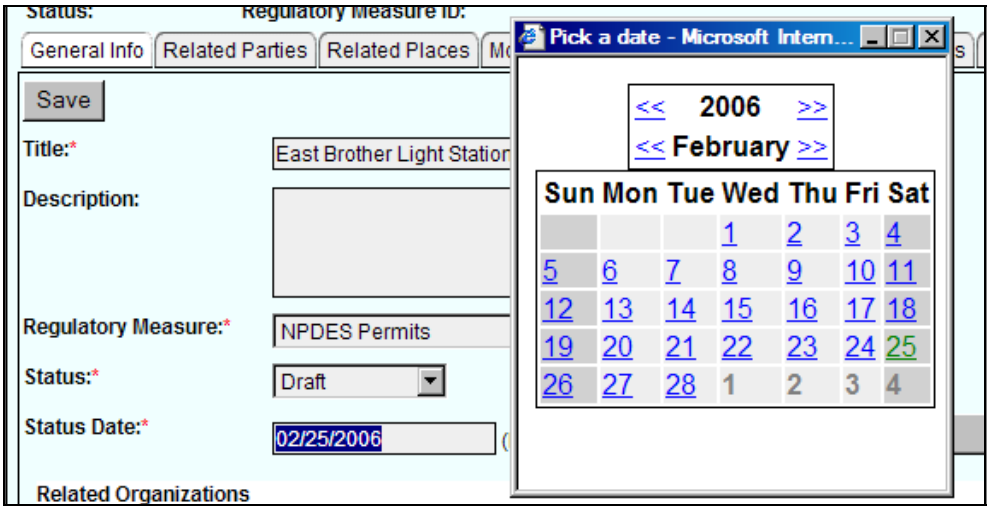
Click the “Save” button.

The info saves and the Header fields are now populated. In addition, the info on the Related Parties, Places, Monitoring Locations, and Requirements tabs is imported from the original Reg Measure. Finally, please note that the new Reg Measure has its own ID number as shown below.

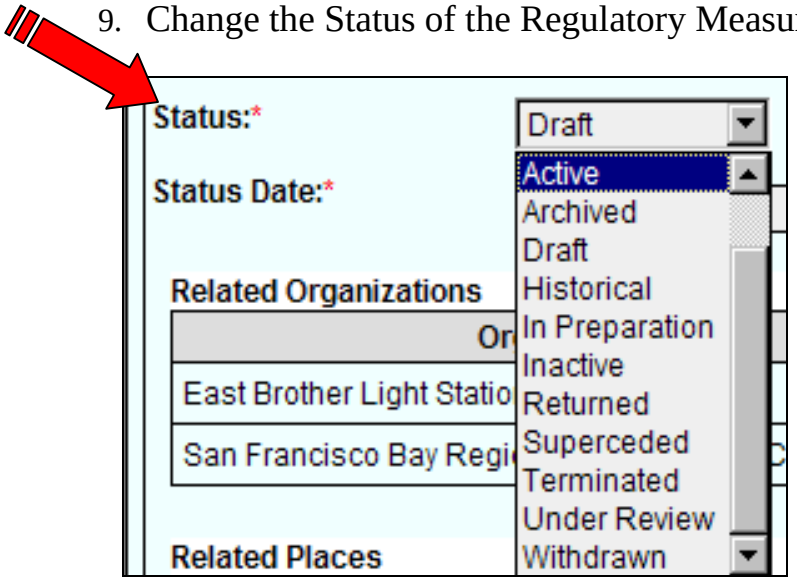
*Note: For things that don't have an order number or resolution number, use the date of the document.

7. Enter in a description if needed.

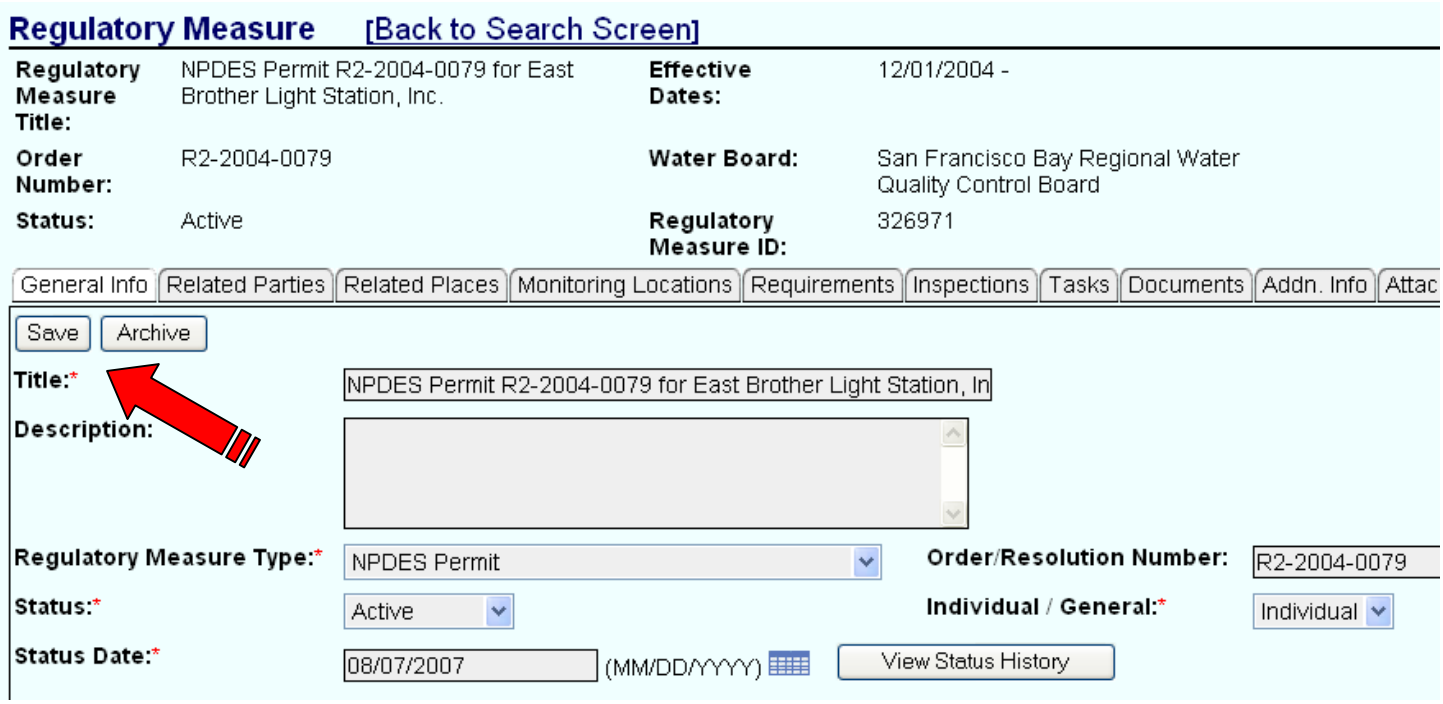
8. Using the calendar icon, pick today's date as the status date.



9. Change the Status of the Regulatory Measure to "Active".



10. Click the “Save” button near the top of the page



11. Enter an Expiration / Review date and select "**Save**" again (from the top of the page) to link the new action to the original regulatory measure. The presence of the "**Unlink**" hyperlink tells you this linking has occurred.

Identifiers

Identifier Type*	Identifier*	Comment	Start Date*	End Date	Action
NPDES Number	CA0038806		08/07/2007		Unlink
WDID	2 071227001		08/07/2007		Unlink
			(MM/DD/YYYY)	(MM/DD/YYYY)	

Dates

Date Type*	Date*	Action
Adoption Date / Issuance Date	09/15/2004 (MM/DD/YYYY)	Unlink
Effective Date	12/01/2004 (MM/DD/YYYY)	Unlink
Expiration Date / Review Date	08/07/2012 (MM/DD/YYYY)	Unlink
	(MM/DD/YYYY)	

Dates

- Only one date of each type can be entered.
- Except for enrollees, all regulatory measures shall have an "Adoption/Issuance" date.
- All orders (WDRs, NPDES, CAO, CDO, etc) must have an Effective date.
- If an order is historic, it must have a termination date.
- All NPDES permits, WDRs, and 401 Certifications must have an Expiration/Review date.
- For WDRs, if the order is reviewed and a renewal is not necessary, the Expiration/Review date should be extended.
- For enrollees, there must be an effective date (the date coverage started) and if the general permit no longer covers the enrollee, there must be a termination date.

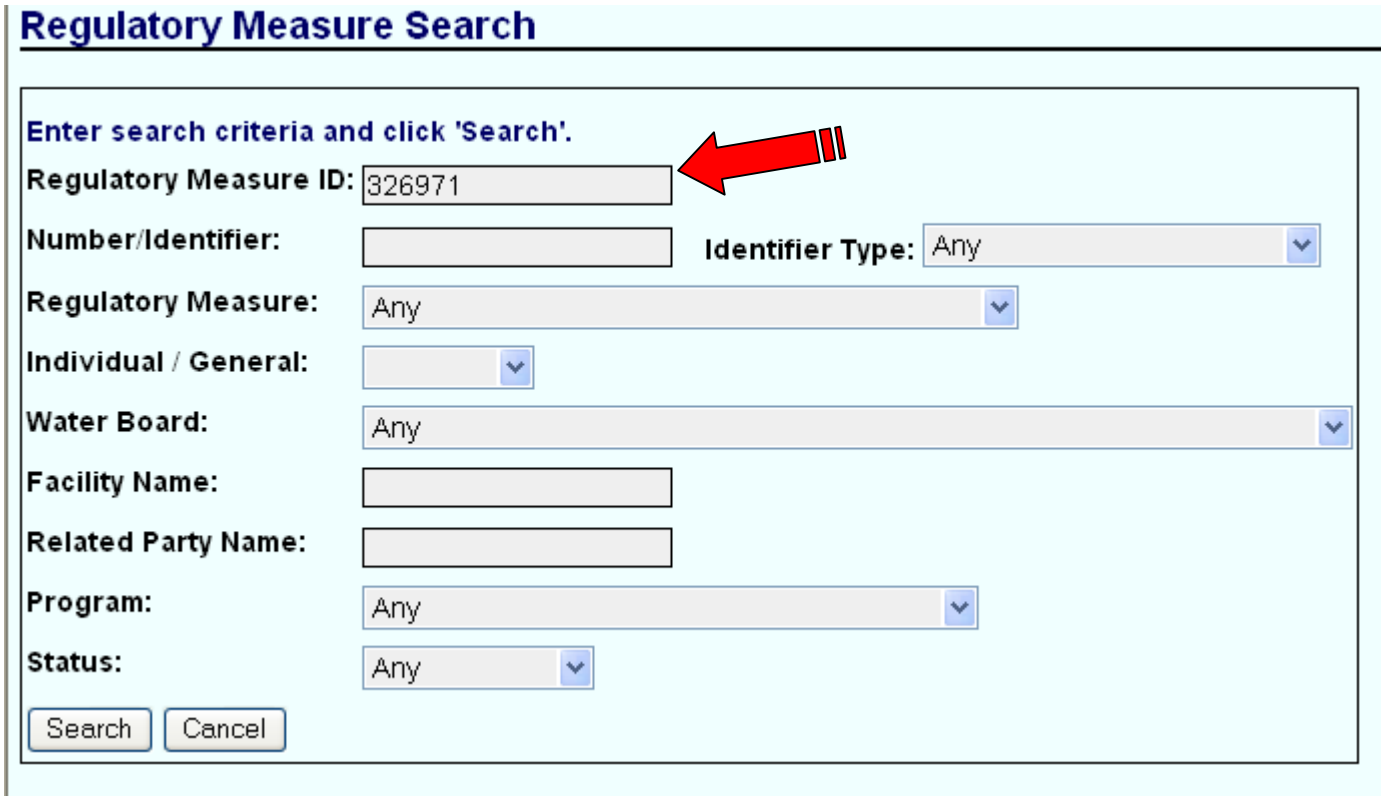
Date Type	Definition
Adoption Date/Issuance Date	This is the date the regulatory measure is adopted or signed by the executive officer. If the regulatory measure is not adopted or signed by the executive officer, the issuance date is the date the regulatory measure is sent by staff. For oral communication, this is the date that the communication took place.
Effective Date	This is the date that the regulatory measure has authority.
Expiration Date/Review Date	The Expiration date applies to NPDES permits and is the scheduled date of termination. The review date is for WDRs and is the date that the WDRs are scheduled to be assessed for adequacy.
Billing Hold	The date that a storm water enrollee regulatory measure is put on billing hold. Billing hold is the date that the RB received a complete NOT, and is put on hold until final approval/ denial. While on billing hold, no new invoices are generated and late notices for existing invoices are not sent. If the NOT is denied, the billing hold is removed and outstanding invoices will be reissued for immediate payment or a supplemental invoice will need to be generated for any invoice amount missed. If the NOT is approved, the billing hold is removed and NOI terminated. Applicable invoices will be canceled, reissued or refunded.
Termination Date	The date that a regulatory measure is no longer in effect. . If an order replaces/supersedes another, the old one should have a termination date of the day before the effective date of the new order.

User must link all regulatory measures that are directly related to one another. For example, if an enforcement action is enforcing against violations of a general storm water permit and a wastewater permit, then the enforcement action must be linked to both of them.

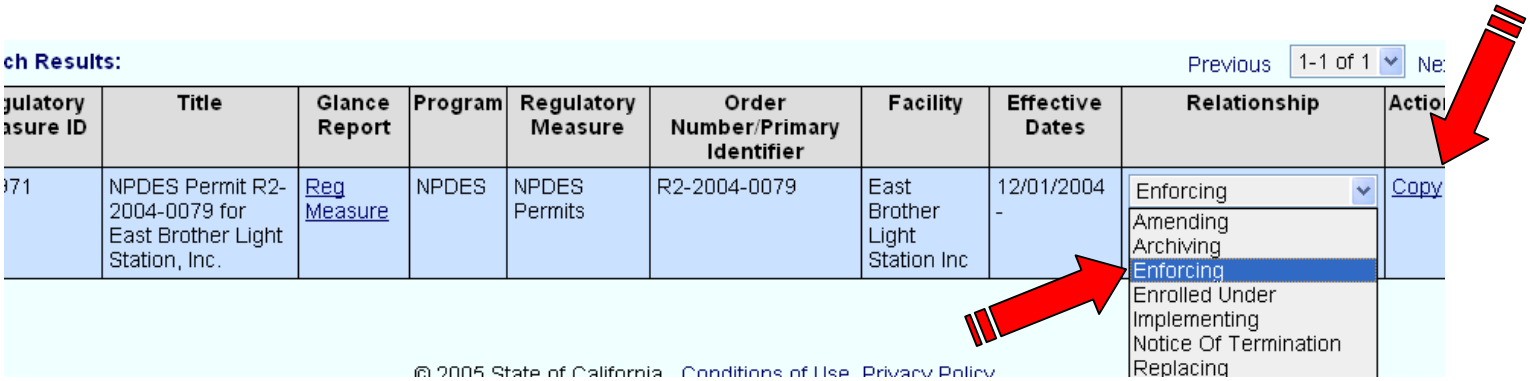
Relationship	**Definition**
Amending	The relationship between two regulatory measures that are for the same discharge. Both regulatory measures should be active, though the more recent regulatory measure revises portions of the existing regulatory measure.
Archiving	Only used for regulatory measures that have been activated and the requirements need to be adjusted.
Enforcing	The relationship between two regulatory measures, where the first order is violated and therefore subject to the actions of the second order.
Enrolling Under	The relationship made from an enrollee regulatory measure (type) to a general regulatory measure (type).
Implementing	The relationship between a base order and a co-permittee regulatory measure.
Revising/Renewing	The relationship between two regulatory measures that are for the same discharge and the existing order is being rescinded with the new order.
Replacing	Applicable when a new type of regulatory measure takes the place of an existing regulatory measure (e.g., an NPDES permit is replaced by WDRs or when an ACL Complaint is replaced by an ACL Order). The regulatory measure that gets replaced should have the status "superseded."

Notice of Termination	For statewide storm water enrollees, the regulatory measure representing the application to end coverage under a statewide storm water general permit.
Rescinding	Used only when the new regulatory measure only rescinds another regulatory measure and does not include additional requirements.

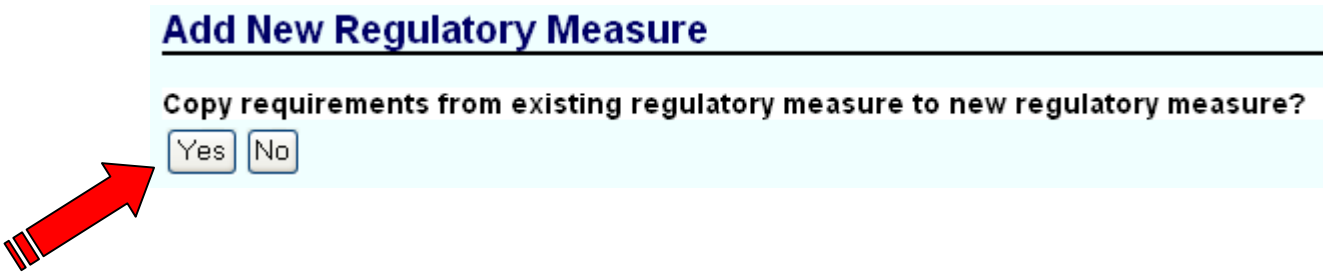
12. Enforcement actions are actions taken by Regional Board staff to enforce the terms of a permit and/or to correct actions which have led to a violation of the permit. To create an Enforcement Action of our new Reg Measure, follow steps 1 thru 3 above. In step 3 enter 326971 (the ID # of the Reg Measure you just created) as the Reg Measure ID to search for.



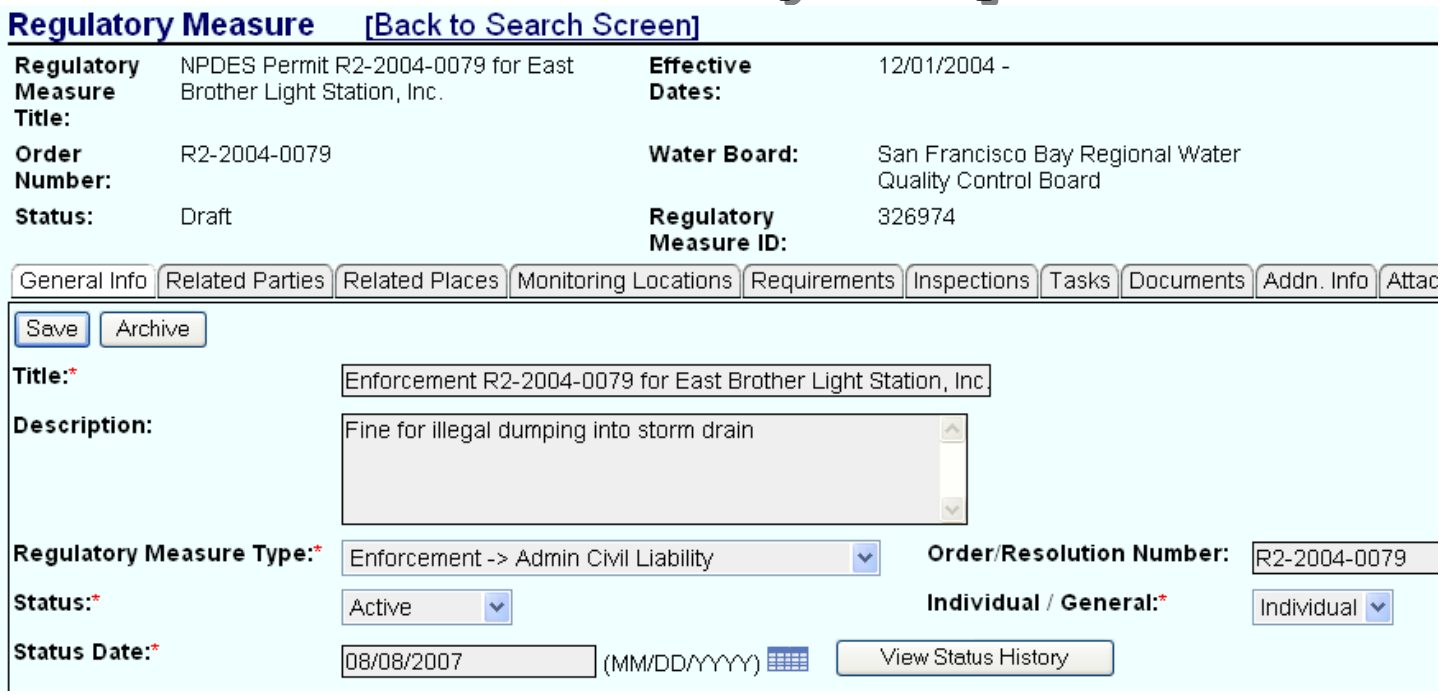
The search results are shown below. Since our new Reg Measure is an enforcement action, select “Enforcing” from the Relationship dropdown menu and then click on the “Copy” hyperlink from the Action column, as shown below.



The screen below appears. Click “Yes” to copy requirements to the Enforcement Action.



The next screen applies to “General” type permits. Our permit type is “Individual”, so select “No”.



Change the title of the Reg Measure to reflect that this is an enforcement action. Add a description for clarity. Change the Reg Measure type to reflect that this particular enforcement action is a fine. Change the Status to “Active”. Click the “Save” button

Notice that there is now an “Enforcement” tab next to the “General Info” tab, and that the name of the Reg Measure in the header now says “Enforcement” rather than “NPDES Permit”.

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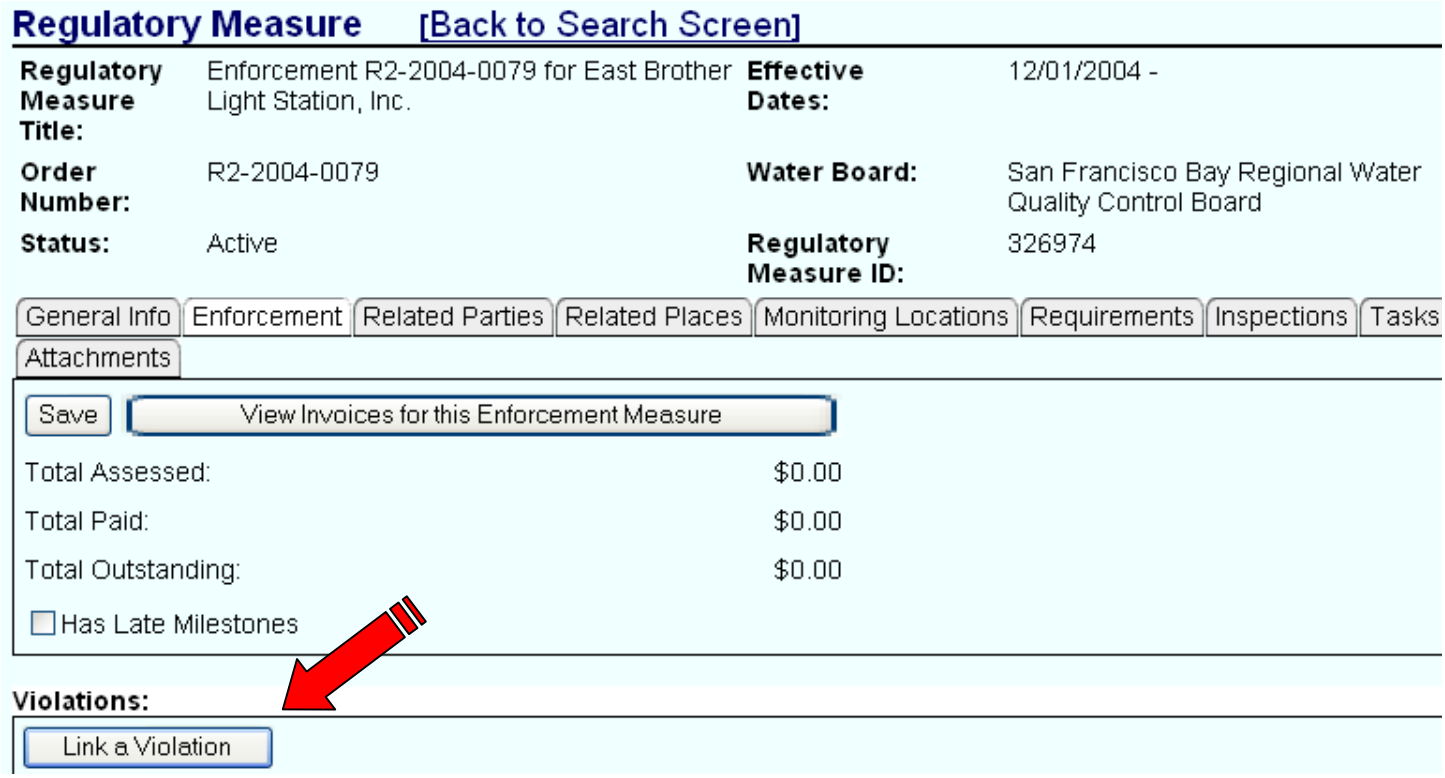
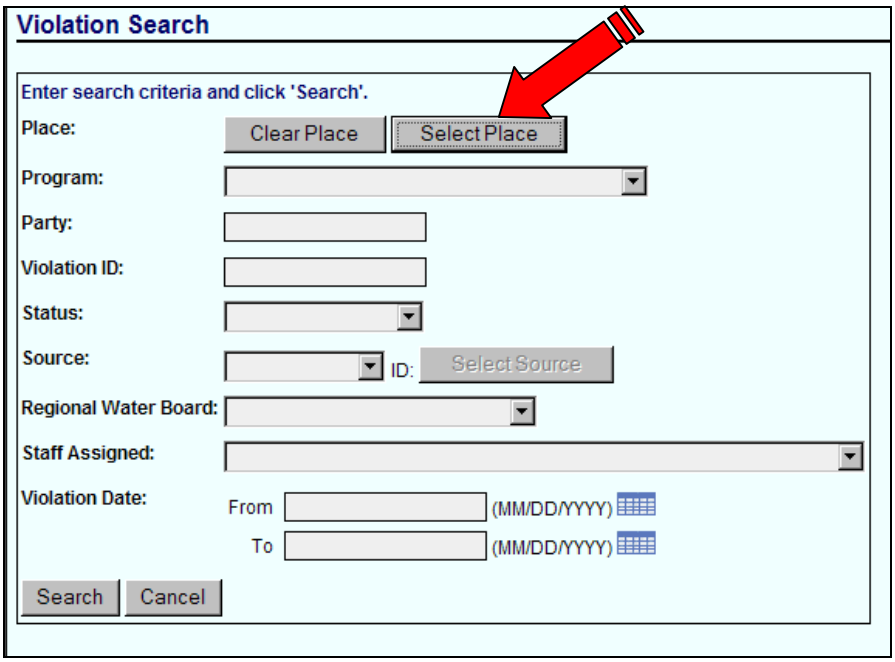
Select the “Enforcement” tab. The screen below appears.

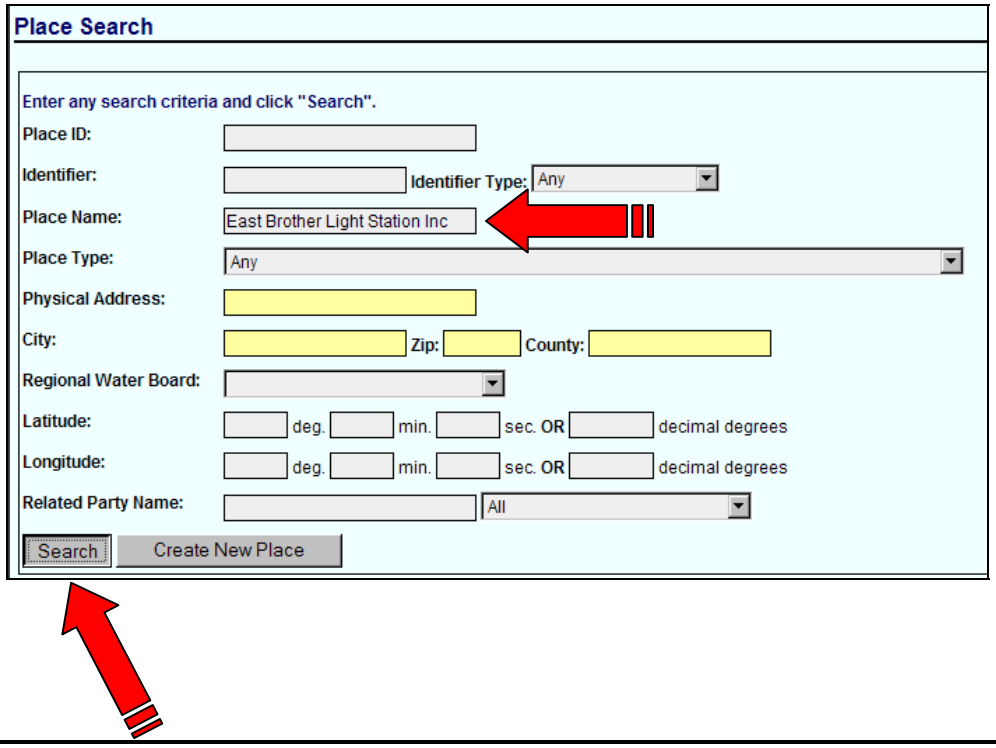


13. Click the “Link a Violation” button. To link a violation to an enforcement action the violation must already exist. If it does not yet exist you’ll be guided through the process of creating the violation. For the purposes of this example the violation already exists. For instructions on how to create a violation please see the “Create and Maintain Violations” workbook.

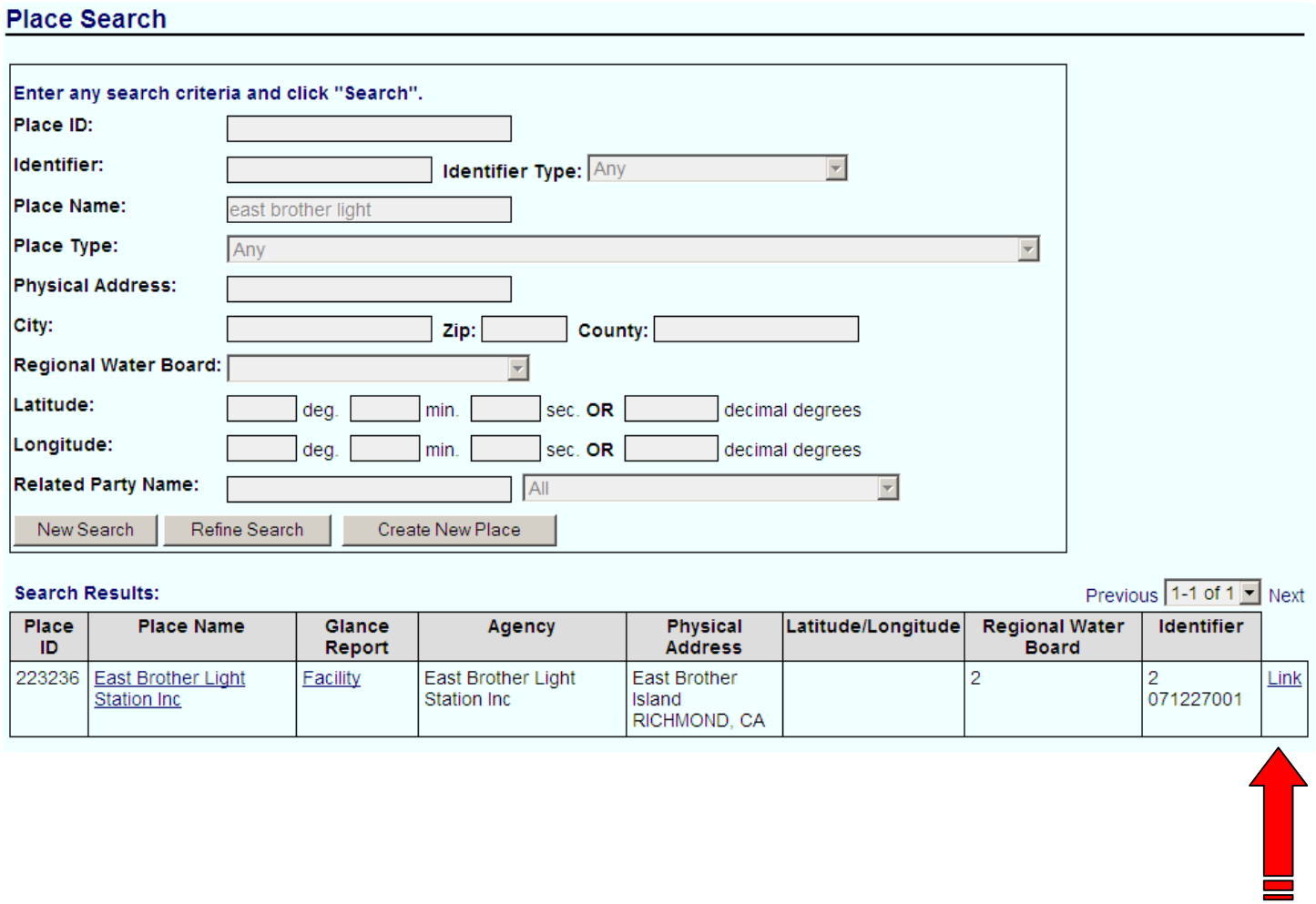
14. When the Violation Search screen appears, click the "**Select Place**" button.



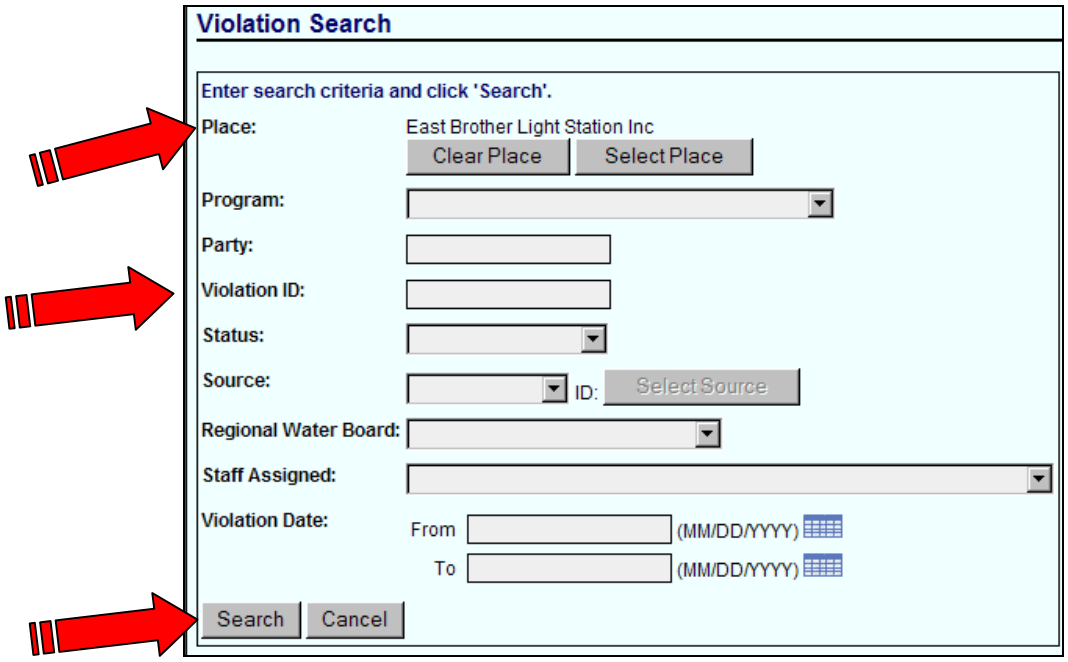
15. Enter the name of the facility into the "Place Name" field and click "**Search**".



16. Click the "**Link**" hyperlink on right side of the screen.

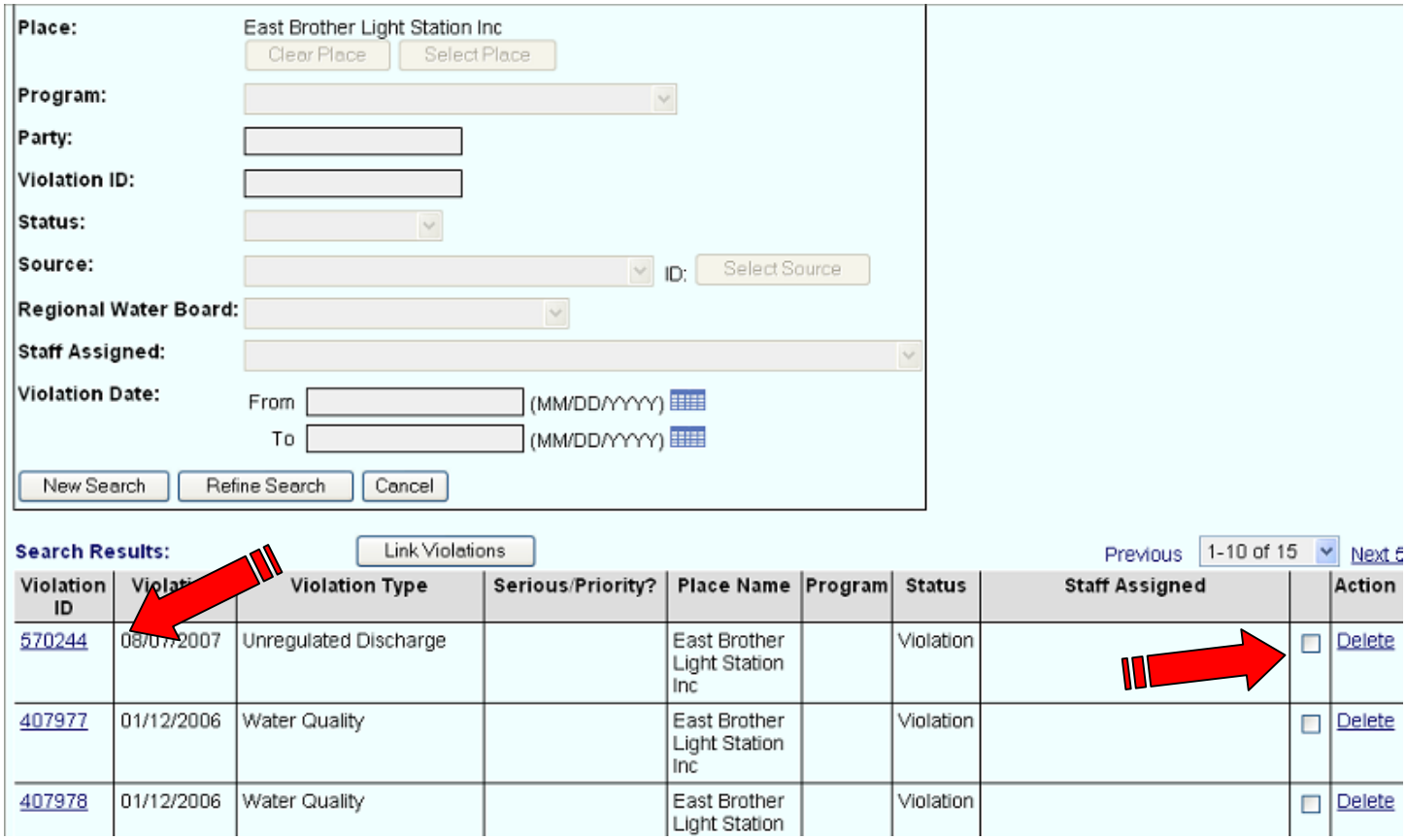


17. You will be back at the "Violation Screen" and the facility name should appear for the Place criteria.

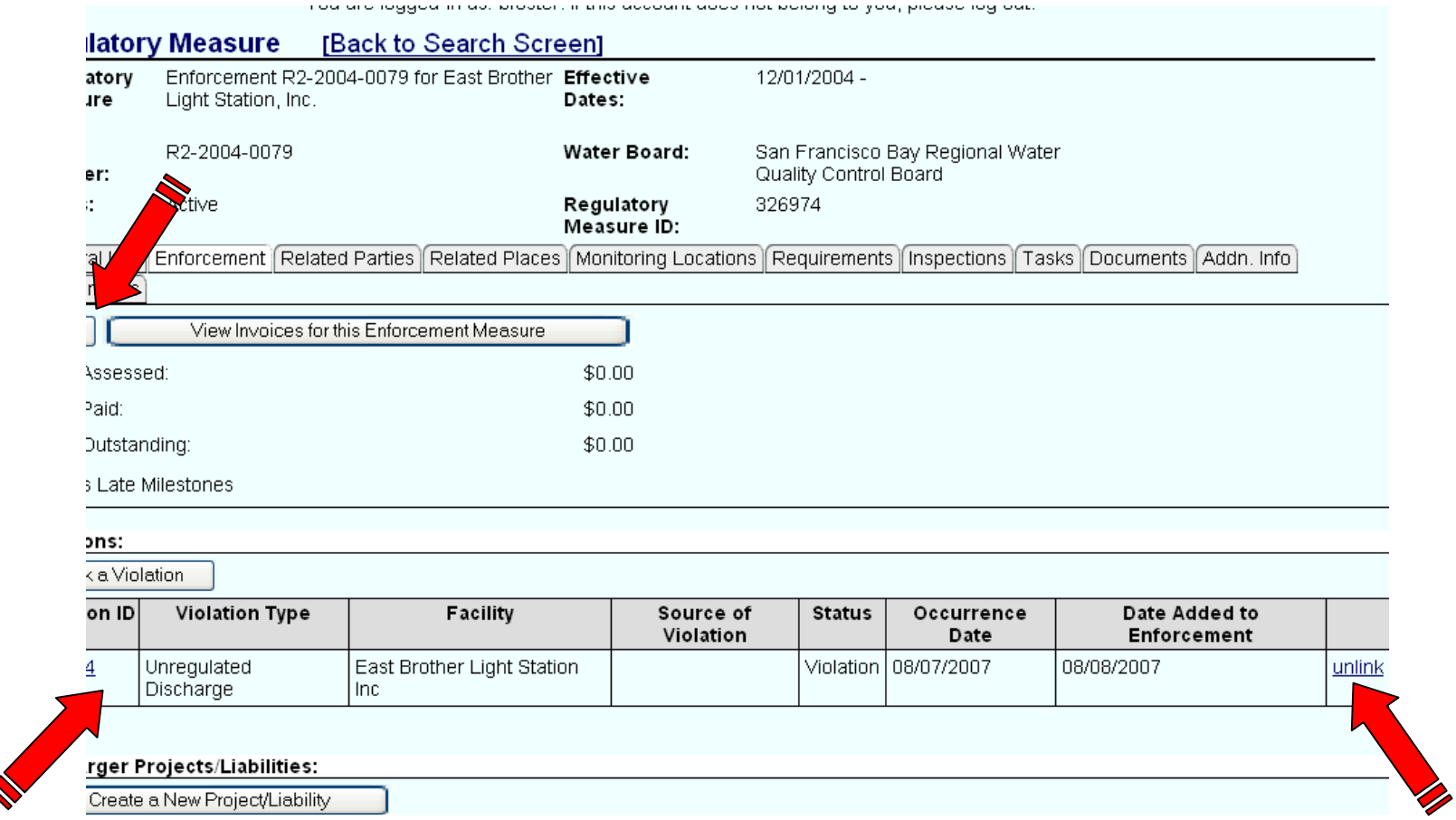


18. If you know the specific Violation ID #, enter it in the appropriate field. If you do not know the violation ID click the "**Search**" button near the bottom of the screen. A list of violations should display in the results table as shown below.

19. When the results table is returned, check the checkboxes for the correct violations in the last column of the row that corresponds to the Violation that you wish to link to the Enforcement action. Click the "**Link Violations**" button.



The new violation appears under the “Violations” subgroup. Select “**Save**” to complete the linking action. After “**Save**” is clicked an “Unlink” hyperlink will appear in the far right column of the page.



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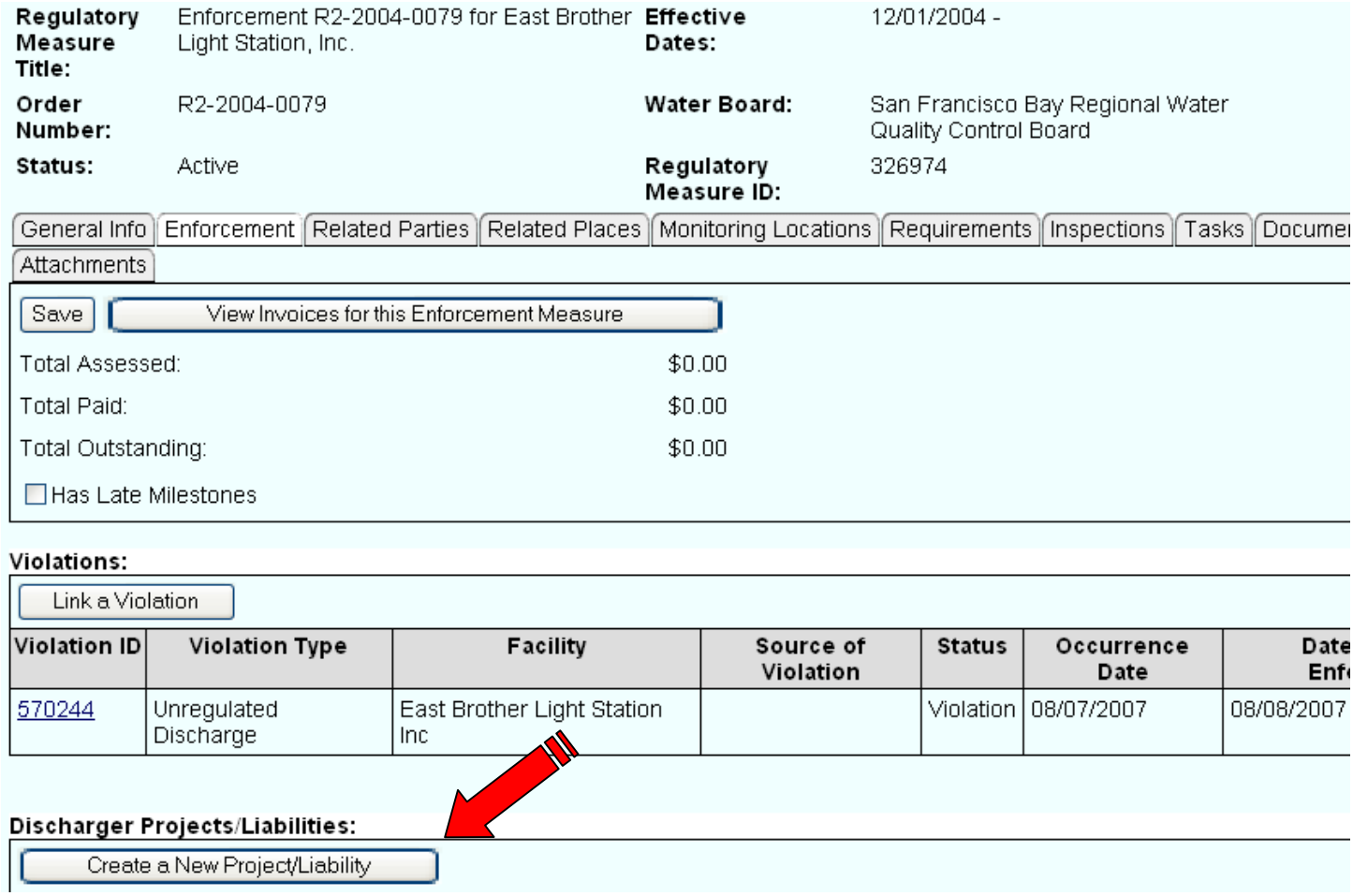
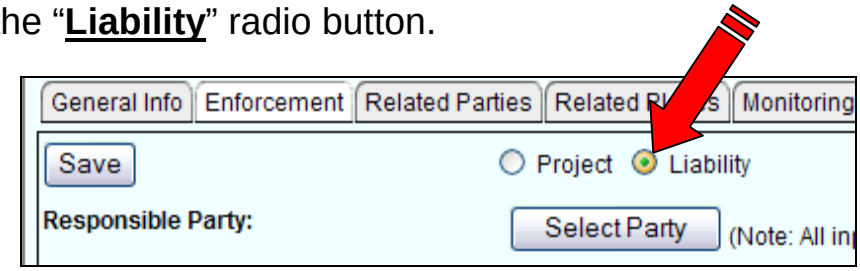
Create & Maintain Regulatory Measures

1. From the Enforcement tab of the Regulatory Measure module, click the "Create a New Project/Liability" button.

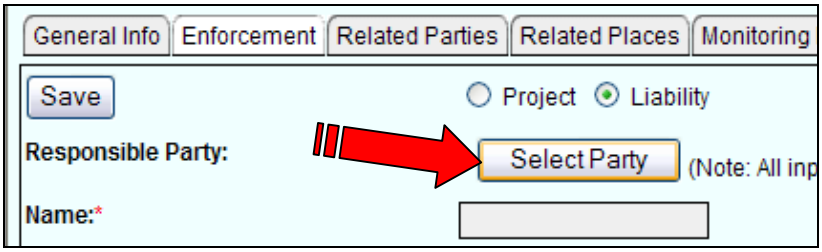


A project is an activity performed at the expense of the Agency involved and usually involves some sort of community service performed within a specific time frame. Liabilities are fines to be paid within a specified time frame. This enforcement action is an Administrative Civil Liability (ACL), a fine levied by the Regional Water Board.

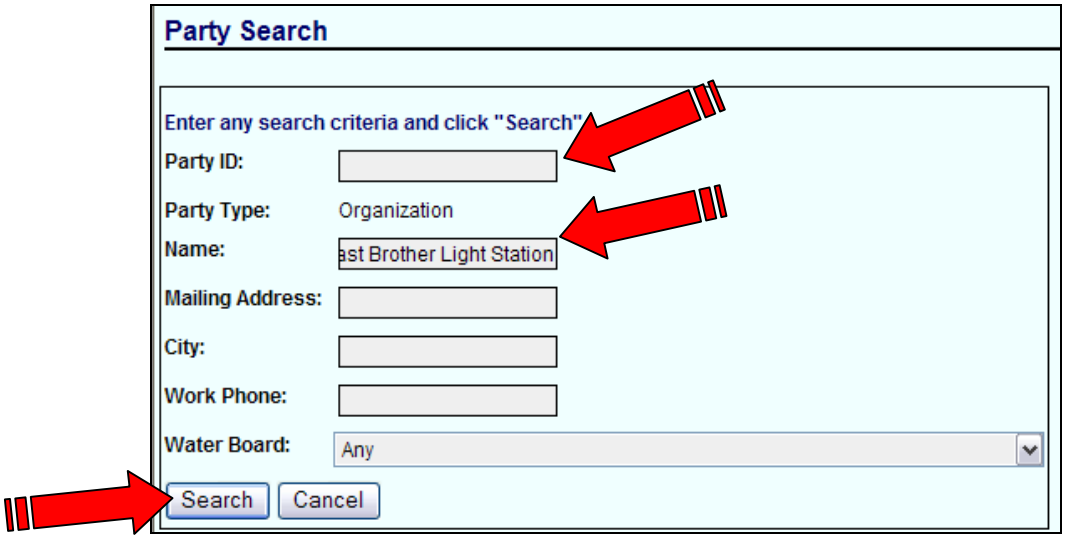
Select the "**Liability**" radio button.



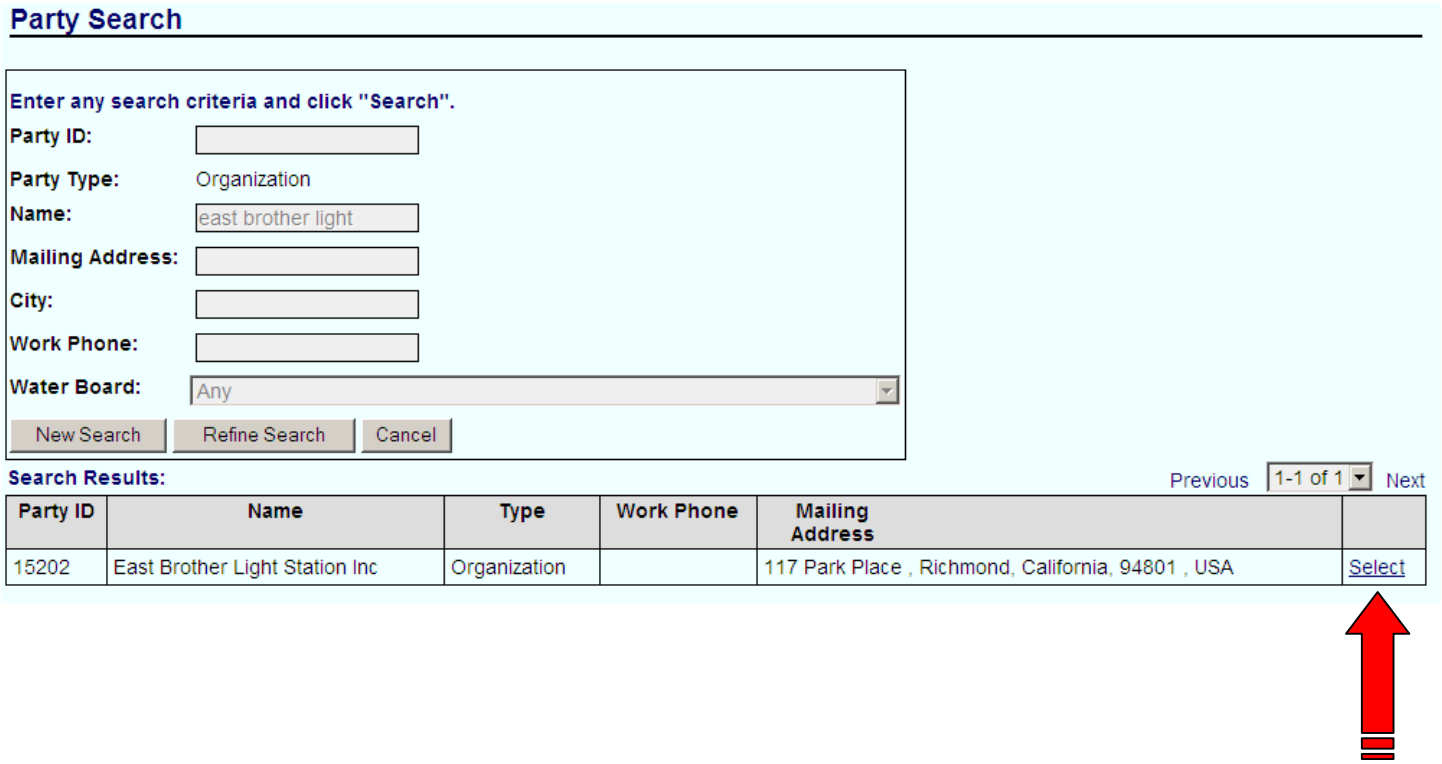
2. Click the "**Select Party**" button. (This only searches for organizations, not people)



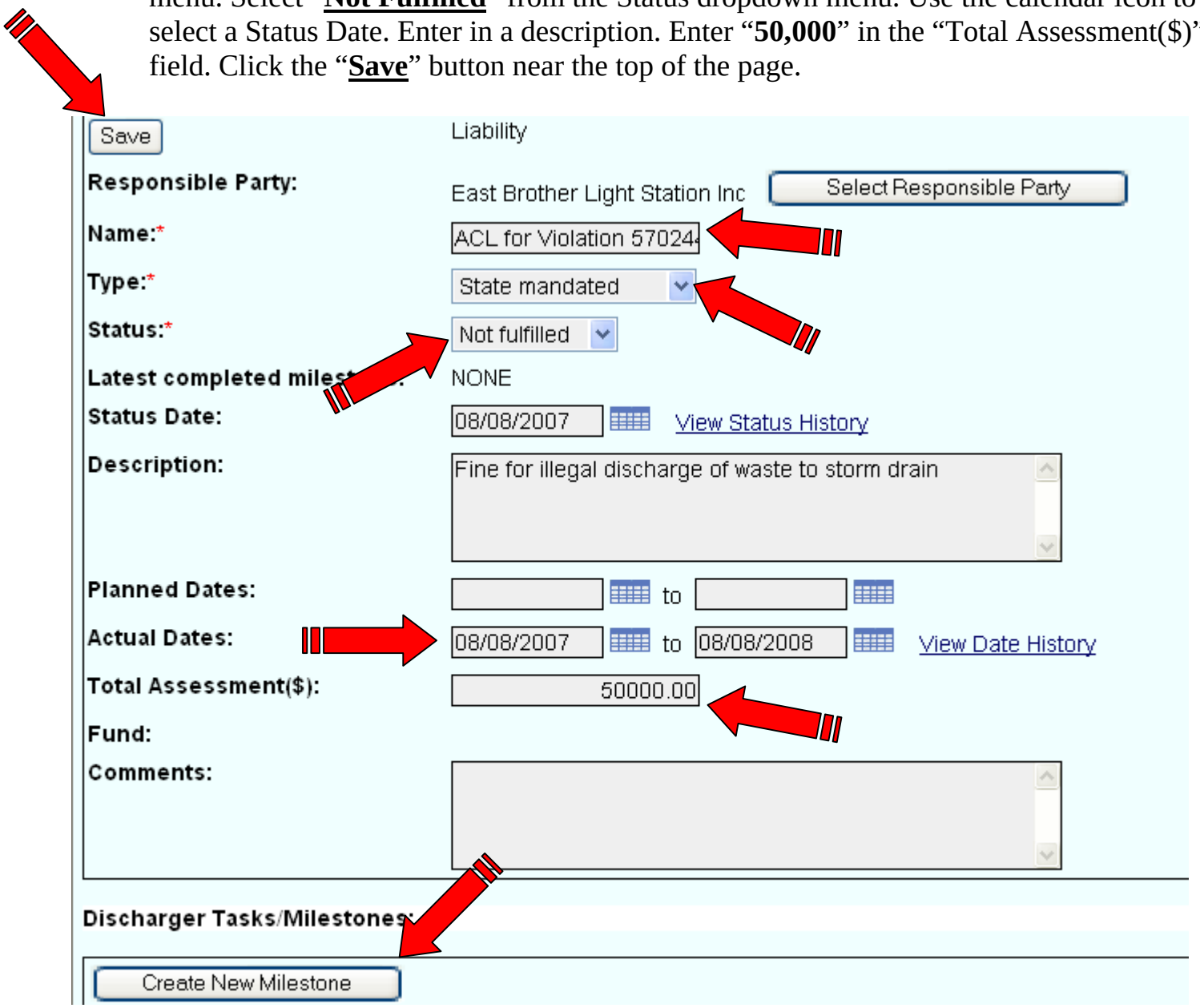
3. Type the agency name in the "**Name**" field or enter the appropriate Party ID and select "**Search**".



4. Click the "**Select**" hyperlink in the right column of the page.

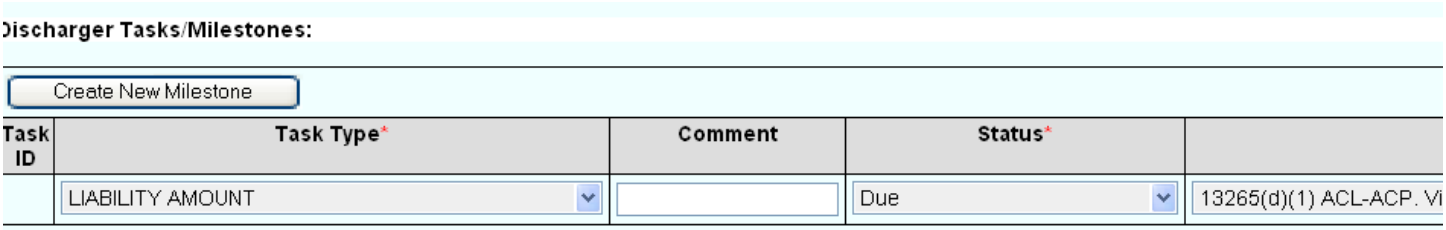


5. Provide a name for the liability. Select "**State Mandated**" from the Type drop down menu. Select "**Not Fulfilled**" from the Status dropdown menu. Use the calendar icon to select a Status Date. Enter in a description. Enter "**50,000**" in the "Total Assessment($)" field. Click the "**Save**" button near the top of the page.

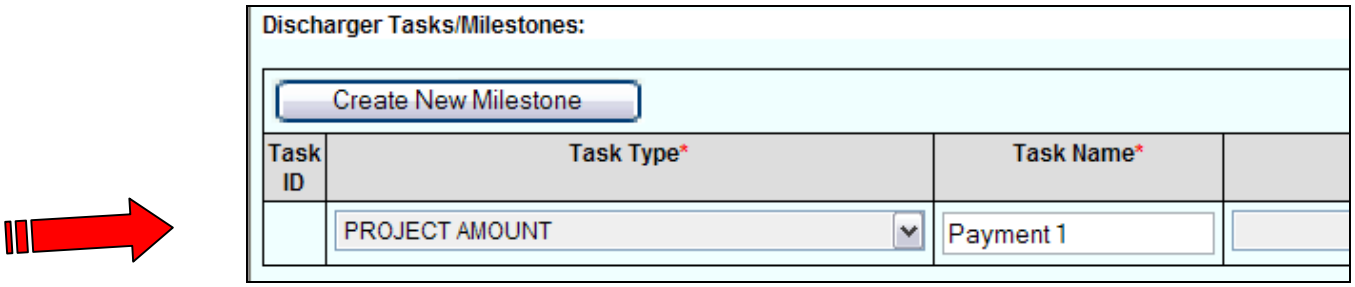


6. Click the "**Create New Milestone**" button shown above.

7. Select “Liability Amount” from the Task Type drop down menu

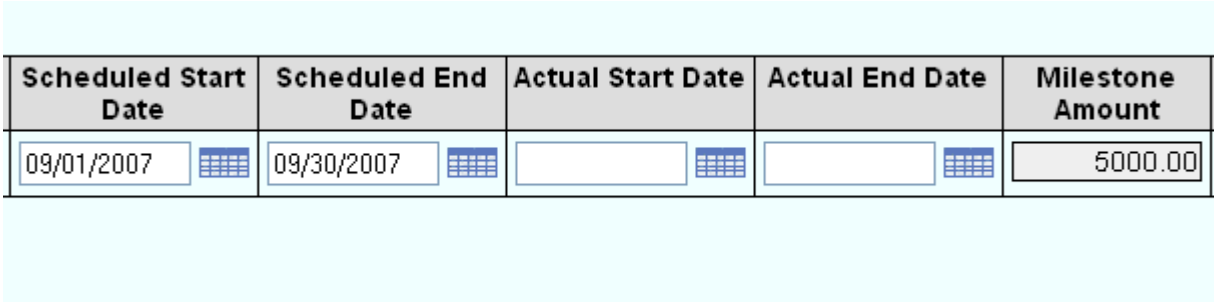
8. 

9. Type in “Payment 1” in the Comment field.



10. Select “Due” from the Status dropdown menu.

11. Type “5,000” in the Milestone amount.



12. Click the “**Save**” button near the top of the page. (Repeat Steps 6 through 10 for multiple Milestones/Payments). The milestone is given a Task ID # and History and Delete hyperlinks appear in the far right columns.

13. Return to the Main Menu.