



Top 10 HMBP Violations

February 27, 2024

Presented by:

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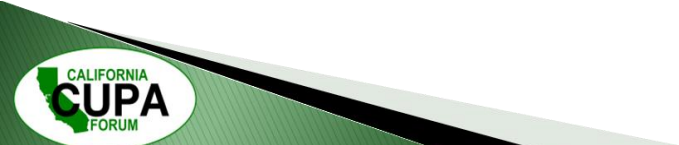
26th California Unified Program
Annual Training Conference
February 26 - 29, 2024

Overview

- Overview of the hazardous materials business plan
- The purpose of the business plan program
- Top 10 Violations
 - Overview of each top violation
 - Perspectives and discussion on each violation
- Questions

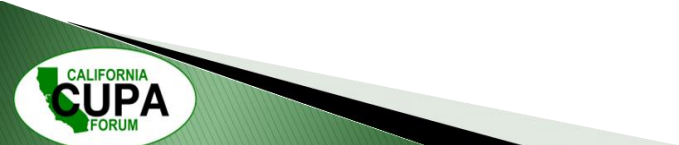
Disclaimer

Please note that the hazardous materials business plan (HMBP) reporting requirements information discussed in this presentation may not address all the information specifically applicable to your facility. Please refer to and review the statutory citations to best determine how requirements apply to your facility



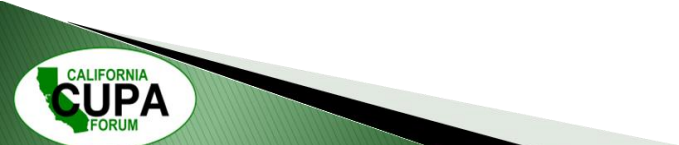
Common Terms

- HMBP
- Reporting Threshold
- Electronic Submittal
- CERS
- UPA or CUPA



Common Terms

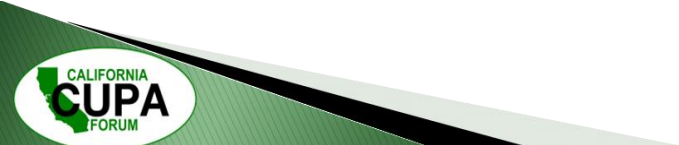
- Business
- Handler
- Hazardous Material
- EPCRA
- Tier II
- Health and Safety Code (HSC), California Code of Regulations (CCR)



Slido Question #1

What is included in the definition of a business?

- a) An employer, self-employed individual, trust, firm, joint stock company, corporation, partnership, limited liability partnership or company, or other business entity
- b) A business organized for profit and a nonprofit business
- c) An agency, department, office, board, commission, or bureau of a city, county, or district.
- d) A handler that operates or owns a unified program facility.
- e) All of the above



Slido Question #2

A handler is a business that handles hazardous materials.

True or False:

The term **handle** means all of the following: To use, generate, process, produce, package, treat, store, emit, discharge, or dispose of a hazardous material in any fashion.

Slido Question #3

A hazardous material is a material that poses a significant present or potential hazard to human health and safety or to the environment if released into the workplace or the environment.

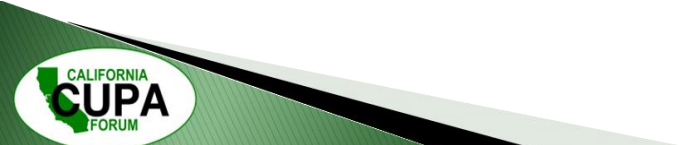
Which of the following is also a hazardous material?

- a) Substances for which the manufacturer is required to prepare a material safety data sheet.
- b) Substances listed pursuant to CFR Title 49 (Department of Transportation)
- c) Substances that are hazardous waste or listed as extremely hazardous waste.
- d) A substance listed in Section 339 of Title 8 of the California Code of Regulations (Hazardous Substances List)
- e) Substances that are declared hazardous under an adopted ordinance.
- f) All of the above

Slido Question #4

True or False:

EPCRA stands for the Emergency Planning and Community Right to Know Act. It is a federal law that was established in 1986. The purpose of EPCRA is to help communities plan for chemical emergencies.



Slido Question #5

What is Tier II Reporting?

- a) An annual federal report that is mandatory for businesses that store hazardous materials at reporting thresholds.
- b) Tier II reporting is required under the Emergency Planning and Community Right-to-Know Act of 1986 (EPCRA)
- c) Submitting a business plan electronically satisfies the Tier II reporting requirements in California.
- d) All of the above.

Slido Question #6

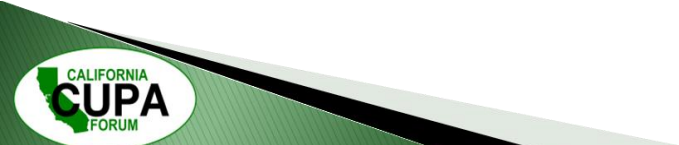
True or False:

The legal authority given to CUPA to implement the HMBP program is derived from

- Health and Safety Code Chapter 6.95, Sections 25500 to 25519

and

- California Code of Regulations Title 19, Division 2, Chapter 4, Article 4 Sections 2620 to 2671.



What is an HMBP?

- Facility Information
- Inventory of hazardous materials stored in reportable quantities at a facility
- Annotated site map

What is an HMBP?

- Emergency response plans and procedures in the event of a release or threatened release of a hazardous material
- Training for all new employees and annual training, including refresher courses

What is the Purpose of the HMBP Program?

- Protect the health and safety of facility employees, first responders, neighboring communities, and the environment
- Ensure businesses establish and implement procedures and training programs to prepare for and mitigate emergencies (i.e. chemical releases, earthquakes, etc.)

What is the Purpose of the HMBP Program?

- Satisfy federal and state Community Right-to-Know laws (Tier II Reporting)
- Provide information necessary for use by first responders in order to prevent or mitigate damage to public health, safety and/or the environment from a release or threatened release of a hazardous material

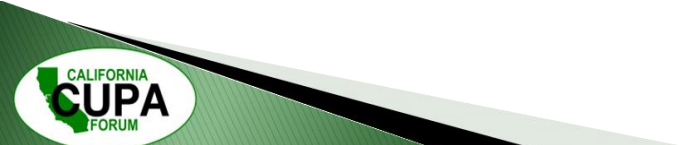
Top 10 Violations Overview

- Reviewed and analyzed statewide data from the California Environmental Report System (CERS)
 - Reviewed data for a 12-month period
 - 43470 violations cited
- Unique top 10 violation list this year.

#1 Violation

**Failed to electronically submit
complete and accurate Hazardous
Materials Inventory information**

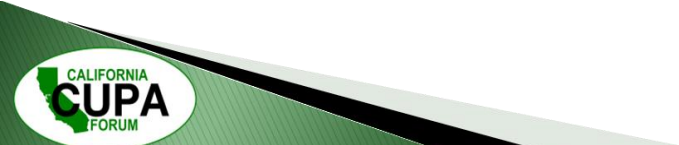
Citation: HSC Sections 25505(a)(1), 25506, 25508(a)(1),
25508(a)(3)



Include every material over the reportable thresholds

The typical hazardous material threshold is equal to, or greater than, 500 pounds for solids, 55 gallons for liquids, or 200 cubic feet for compressed gas

Note: There are exceptions to the above thresholds



Hazardous Material Inventory Element

Return to Submittal Inventory

Chemical Identification and Physical Properties

Chemical Name
Ethylene Glycol
Common Name
Ethylene Glycol Antifreeze

CAS Number
107-21-1

CERS Chemical Library ID
-
US EPA SRS ID
-
Trade Secret
No

Physical State
Liquid

Hazardous Material Type
Mixture

Chemical Hazard Classification

EHS
No
Radioactive
No
Curies
-

Fire Code Hazard Classes (by priority)
Combustible Liquid, Class III-B
-
-
-

DOT Hazard Class
-
-
State Waste Code
-
Lookup Code

Federal Hazard Categories
No Fire (Obsolete)
No Reactive (Obsolete)
No Pressure Release (Obsolete)
No Acute Health (Obsolete)
No Chronic Health (Obsolete)

No PHYSICAL: Flammable
No PHYSICAL: Gas Under Pressure
No PHYSICAL: Explosive
No PHYSICAL: Self-heating
No PHYSICAL: Pyrophoric
No PHYSICAL: Oxidizer
No PHYSICAL: Organic Peroxide
No PHYSICAL: Self-reactive
No PHYSICAL: Pyrophoric Gas
No PHYSICAL: Corrosive to Metal
No PHYSICAL: In Contact with Water Emits Flammable Gas
No PHYSICAL: Combustible Dust
No PHYSICAL: Hazard Not Otherwise Classified (HNOC)
No HEALTH: Carcinogenicity
No HEALTH: Acute Toxicity
No HEALTH: Reproductive Toxicity
No HEALTH: Skin Corrosion or Irritation
No HEALTH: Respiratory or Skin Sensitization
No HEALTH: Serious Eye Damage or Eye Irritation
No HEALTH: Specific Target Organ Toxicity
No HEALTH: Aspiration Hazard
No HEALTH: Germ Cell Mutagenicity
No HEALTH: Simple Asphyxiant
No HEALTH: Hazard Not Otherwise Classified (HNOC)

Inventory Location and Quantity

Chemical Location
Parts Room-northwest Corner
Chemical Location Confidential EPCRA
-
Map # (Optional) Grid # (Optional)
-

Average Daily Amount
30
Maximum Daily Amount
110
Largest Container Annual Waste Amount
55
Days on Site
365

Units
gallons

Inventory Storage Information

No Aboveground Tank
No Underground Tank
No Tank Inside Building
No Steel Drum
No Plastic/Non-Metallic Drum

No Can
No Carboy
No Silo
No Fiber Drum
No Bag

No Box
No Cylinder
No Glass Bottle
No Plastic Bottle
No Tote Bin

No Tank Truck, Tank Wagon
No Tank Car, Rail Car
Yes Other
-

Storage Pressure
Ambient

Storage Temperature
Ambient

Mixture Components

Hazardous Component Name	CAS Number	% by Weight	EHS
Ethylene Glycol	-	95.00	No
Diethylene Glycol	-	-	No
-	-	-	No
-	-	-	No
-	-	-	No

Additional Mixture Components
-

Additional Chemical/Material Description

Additional Chemical Description Information
-



[Return to Submittal Inventory](#)

Chemical Identification and Physical Properties

Chemical Name	Ethylene Glycol	CERS Chemical Library ID	-
Common Name	Ethylene Glycol Antifreeze	US EPA SRS ID	-
Physical State	Liquid	Trade Secret	No
Hazardous Material Type	Mixture		
CAS Number	107-21-1		

Inventory Location and Quantity

Chemical Location	Parts Room-northwest Corner	Average Daily Amount	30	Maximum Daily Amount	110	Units	gallons
Chemical Location Confidential EPCRA	-	Largest Container	55	Annual Waste Amount	-		
Map # (Optional)	Grid # (Optional)	Days on Site	365				
	-						


Chemical Hazard Classification

EHS 

No

Fire Code Hazard Classes (by priority)

Combustible Liquid, Class III-B

DOT Hazard Class 

-

Radioactive

-

No

-

Curies

-

-

State Waste Code 

-

[Lookup Code](#)

Federal Hazard Categories

No Fire (Obsolete)

No Reactive (Obsolete)

No Pressure Release (Obsolete)

No Acute Health (Obsolete)

No Chronic Health (Obsolete)

No PHYSICAL: Flammable

No PHYSICAL: Gas Under Pressure

No PHYSICAL: Explosive

No PHYSICAL: Self-heating

No PHYSICAL: Pyrophoric

No PHYSICAL: Oxidizer

No PHYSICAL: Organic Peroxide

No PHYSICAL: Self-reactive

No PHYSICAL: Pyrophoric Gas

No PHYSICAL: Corrosive to Metal

No PHYSICAL: In Contact with Water Emits Flammable Gas

No PHYSICAL: Combustible Dust

No PHYSICAL: Hazard Not Otherwise Classified (HNOC)

No HEALTH: Carcinogenicity

No HEALTH: Acute Toxicity

No HEALTH: Reproductive Toxicity

No HEALTH: Skin Corrosion or Irritation

No HEALTH: Respiratory or Skin Sensitization

No HEALTH: Serious Eye Damage or Eye Irritation

No HEALTH: Specific Target Organ Toxicity

No HEALTH: Aspiration Hazard

No HEALTH: Germ Cell Mutagenicity

No HEALTH: Simple Asphyxiant

No HEALTH: Hazard Not Otherwise Classified (HNOC)

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Inventory Storage Information

No Aboveground Tank No Can No Box
No Underground Tank No Carboy No Cylinder No Tank Truck, Tank Wagon
No Tank Inside Building No Silo No Glass Bottle No Tank Car, Rail Car
No Steel Drum No Fiber Drum No Plastic Bottle Yes Other
No Plastic/Non-Metallic Drum No Bag No Tote Bin -

Storage Pressure
Ambient

Storage Temperature
Ambient

Mixture Components

Hazardous Component Name	CAS Number	% by Weight	EHS
Ethylene Glycol	-	95.00	No
Diethylene Glycol	-	-	No
-	-	-	No
-	-	-	No
-	-	-	No

Additional Mixture Components ⓘ

-

Additional Chemical/Material Description

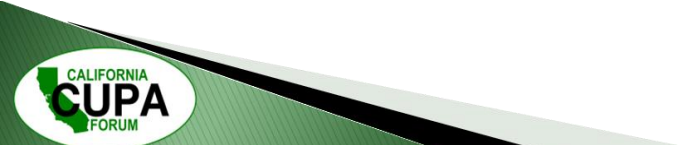
Additional Chemical Description Information ⓘ

-

#2 Violation

**Failed to review and electronically
certify the Business Plan
is complete/accurate on or before the
due date**

Citation: HSC Sections 25508.2



Maintain required certification frequency

Facilities that are eligible to certify should do so on an annual basis and should submit at least triennially

What facilities are eligible to certify?

Annual HMBP Certification (AB 1429)

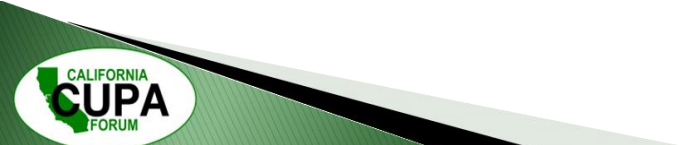
This feature allows a business owner/operator to annually certify that the information in their last HMBP submittal in CERS is complete, accurate, and complies with EPCRA, if applicable. This option may only be used for facilities that meet the eligibility requirements for annual certification, and that are not subject to EPCRA reporting or APSA requirements. Please click [here](#) to review eligibility requirements. **It is strongly advised that you carefully review your last HMBP submittal for accuracy before certifying.**

Certify

#3 Violation

Failed to provide initial and annual training and maintain training records for a minimum of three years

Citation: HSC Section 25505(a)(4), 19 CCR Section 2659



Record training appropriately

[illegible]

Unidocs template is convenient and appropriate for small businesses

Training may be documented electronically or by hard copy

Include required content

HMBP training must include, but is not limited to, the following:

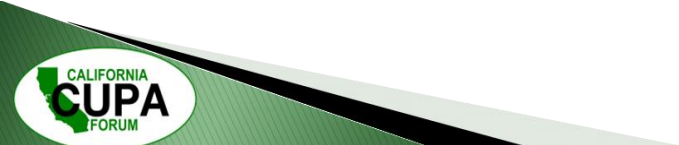
- ☐ Methods for safe handling of hazardous materials;
- ☐ Identification of areas of the facility and mechanical or other systems that require immediate inspection or isolation because of their vulnerability to earthquake related ground motion;
- ☐ Evacuation plans and procedures, including immediate notification, for the facility;
- ☐ Identification of local emergency medical assistance appropriate for potential accident scenarios;
- ☐ Notification of local emergency response personnel, the Unified Program Agency, the California Emergency Management Agency, and persons within the facility who are necessary to respond to an incident;
- ☐ Emergency response and safety procedures for the mitigation, prevention, and abatement of a release or threatened release to minimize harm or damage to persons, property, or the environment;
- ☐ Use of the facility's emergency response equipment and supplies;
- ☐ Procedures for coordination with local emergency response organizations.

Note: Training programs may take into consideration the position of each employee, (ex. Office Staff)

#4 Violation

Failed to electronically submit the business plan initially, annually, or triennially

Citation: HSC Sections 25505, 25508(a)(1)



Assembly Bill 1429

AB 1429 of 2019 changed the HMBP report requirements to allow triennial submittal and the feature of certification. Businesses that are subject to EPCRA Tier II reporting requirements or the Aboveground Petroleum Storage Act are not eligible to certify.

EPCRA Tier II reporting requirements

EPCRA Applicability Criteria

EPCRA Tier II Reporting Chemicals	EPCRA Reportable Thresholds
Extremely Hazardous Substances (EHSs, EPCRA Section 302)	500 pounds or the threshold planning quantity, whichever is lower (40 CFR Part 355, Appendices A and B, or "List of Lists")
Gasoline in underground storage tanks at retail gas stations	75,000 gallons (all grades combined)*
Diesel fuel in underground storage tanks at retail gas stations	100,000 gallons (all grades combined)*
All other hazardous chemicals for which Safety Data Sheets are required	10,000 pounds

Aboveground Petroleum Storage Act

Your facility is subject to APSA if:

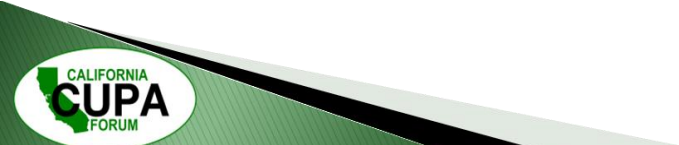
- It has aggregate petroleum product storage of 1320 gallons or more
- It has a petroleum storage tank in an underground area

Train CERS

What happens when the lead user leaves?

Recommend at least 2 lead users, cross training

Some CUPA's offer workshops, classes or tutorials for CERS training

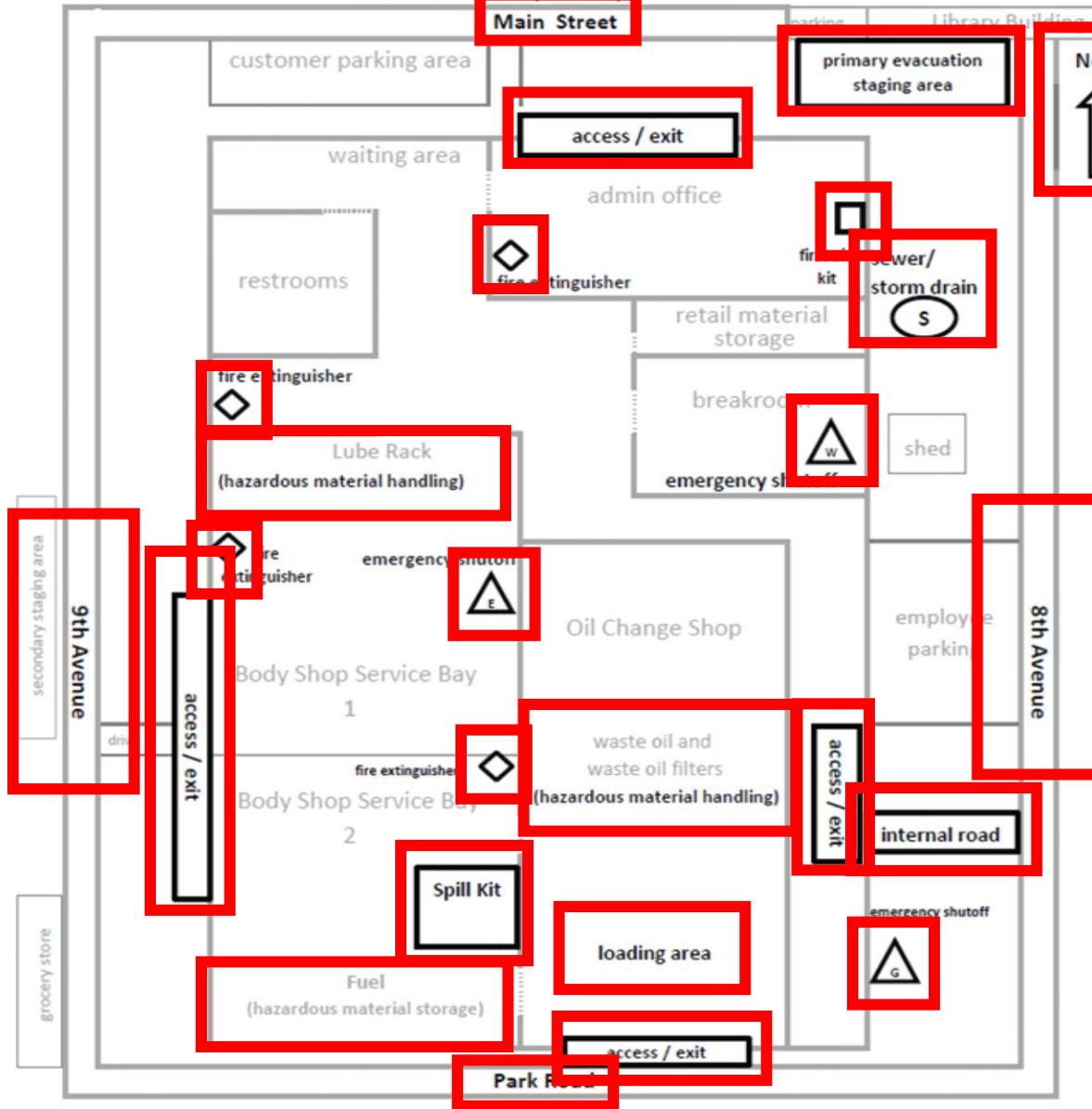


#5 Violation

Failed to electronically submit a site map with all required content

Citation: HSC Sections 25505(a)(2), 25508(a)(1), 25508(a)(3)

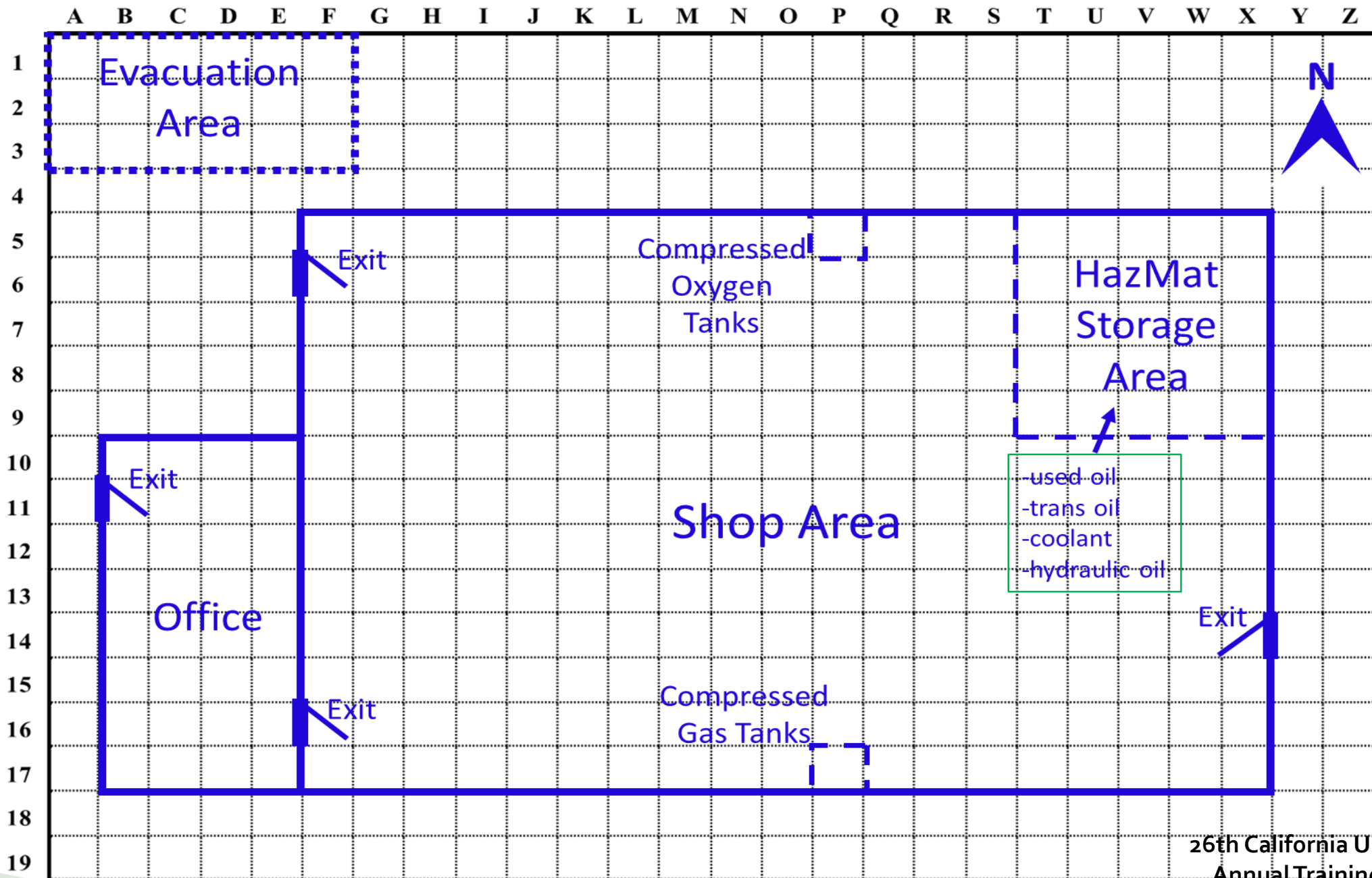
Sample Hazardous Materials Business Plan Site Map - Automotive Repair Shop 10/8/2014
3456 Main Street, Funksville, GA 95501



HMBP Site Map
Minimum Requirements:

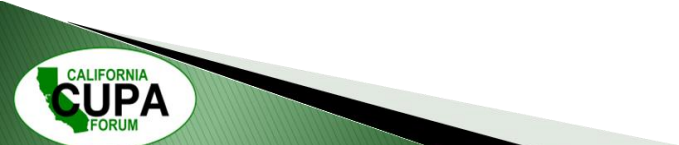
As per Health and Safety Code
25505(a)2

- north orientation
- loading areas
- internal roads
- adjacent streets
- storm and sewer drains
- access and exit points
- emergency shutoffs
- evacuation staging areas
- hazardous material handling and storage areas
- emergency response equipment {fire extinguisher, spill kit, etc.}



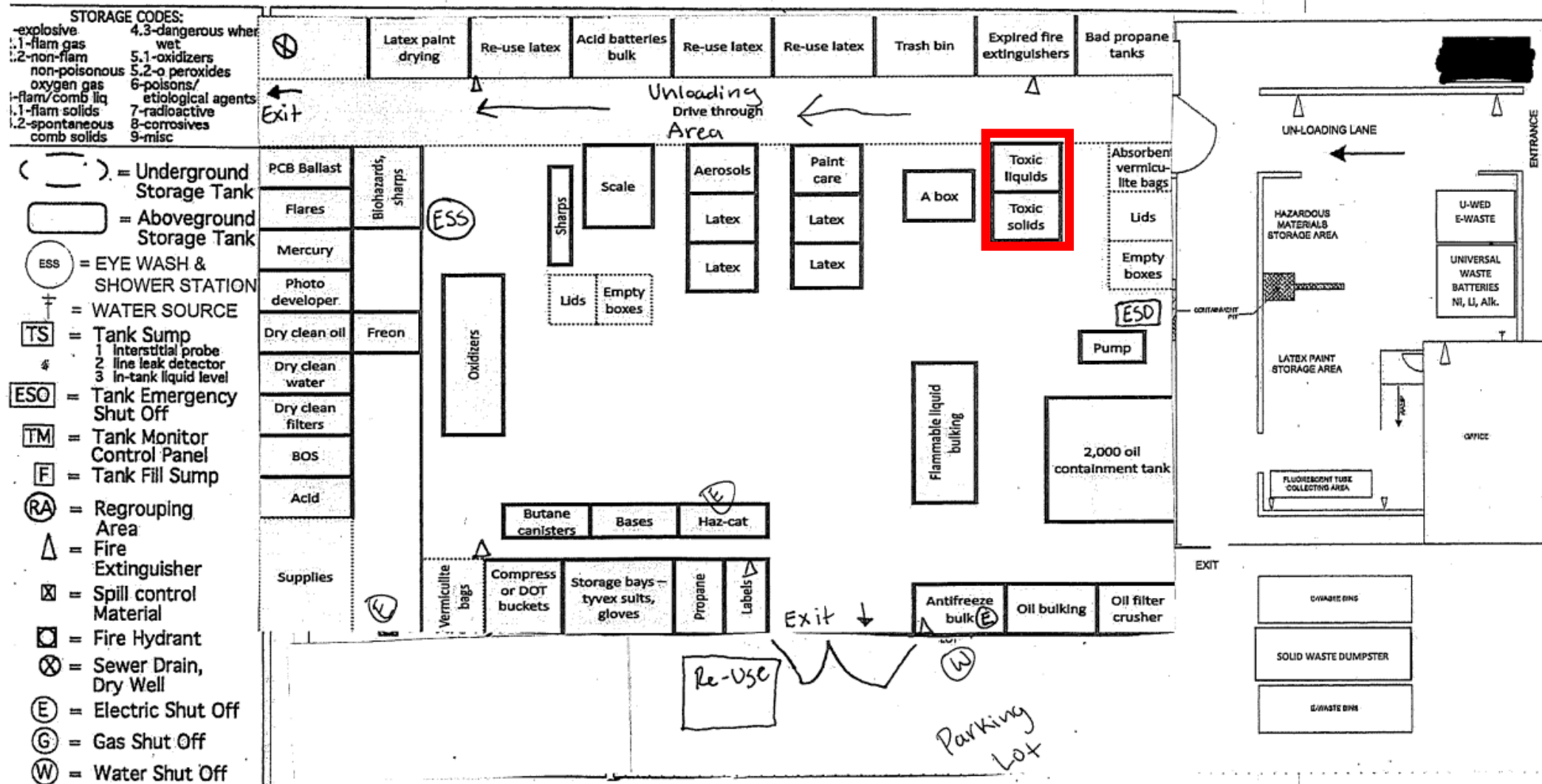
What components, if any, is the previous HMBP site map missing? Slido Question #7

Note to Webmaster: I would like this slide to be a word cloud question (no need to attach wrong or right answers). The purpose of the word cloud will be to stimulate discussion.



Date drawn [REDACTED]

OPERATIONS HOUSEHOLD HAZARDOUS WASTE AND E-WASTE FACILITY SITE MAP



North

Scale: N/A

Business Name: HOUSEHOLD HAZARDOUS WASTE COLLECTION FACILITY & E-WASTE FACILITY

Business Address: 1710 MORGAN RD, MODESTO, CA, 95358

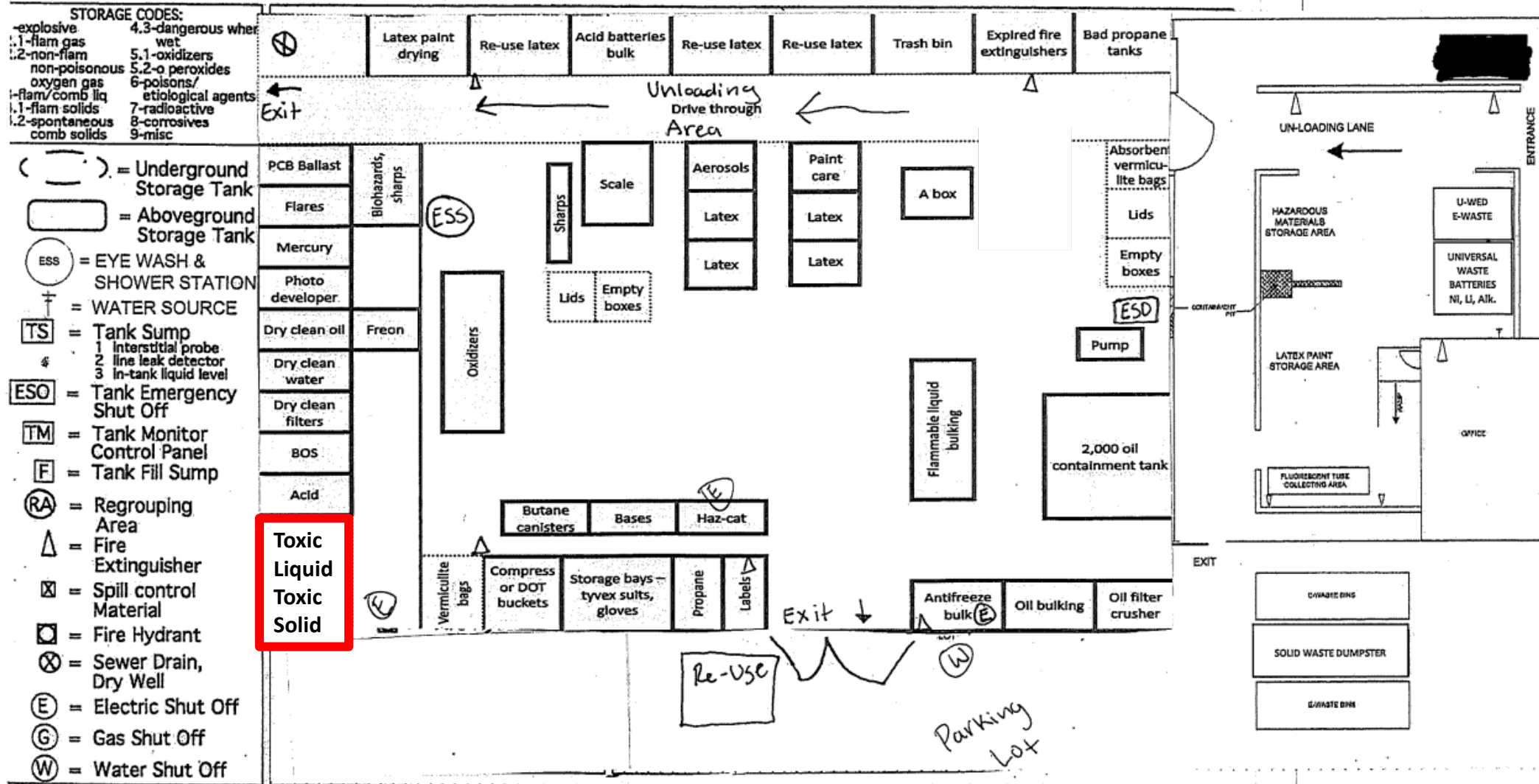
DRAW BY: MARIO ARREOLA

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Keep the site map up to date!!

Date drawn [REDACTED]

OPERATIONS HOUSEHOLD HAZARDOUS WASTE AND E-WASTE FACILITY SITE MAP



North

Scale
N/A

Business Name: HOUSEHOLD HAZARDOUS WASTE COLLECTION FACILITY & E-WASTE FACILITY

Business Address: 1710 MORGAN RD, MODESTO, CA, 95358

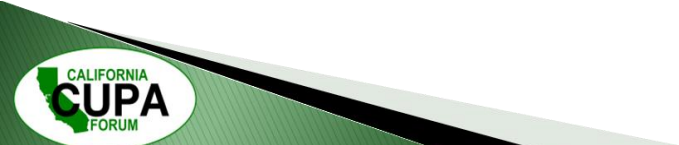
DRAW BY: MARIO ARREOLA

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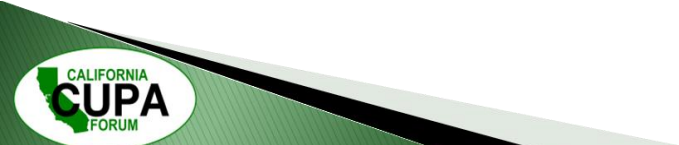
BREAK TIME!



#6 Violation

Failed to electronically submit an adequate response plan/procedures for release/threatened release of hazmat

Citation: HSC Sections 25505(a)(3), 25508(a)(1), 25508(a)(3); 19 CCR Section 2658



Understand when a facility is required to submit

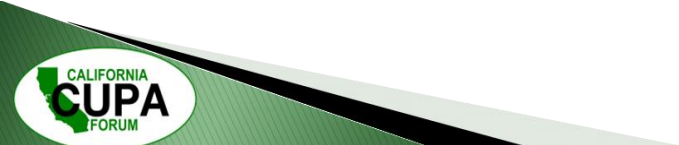


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Understand when a facility is required to submit

Facilities that meet agricultural handler exemption are not required to submit an emergency response plan

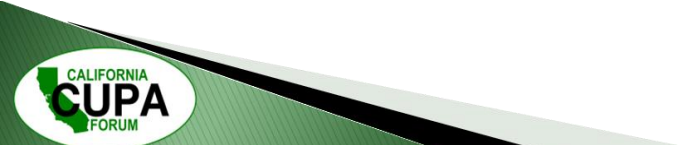
Remote unstaffed facilities are not required to submit an emergency response plan provided they meet the requirements of HSC Section 25507.2



Include the required content

Emergency response plan must address:

- HSC Section 25505(a)(3)
- 19 CCR Section 2658



HSC Section 25505(a)(3)

(3) Emergency response plans and procedures in the event of a release or threatened release of a hazardous material, including, but not limited to, all of the following:

(A) Immediate notification contacts to the appropriate local emergency response personnel and to the unified program agency.

(B) Procedures for the mitigation of a release or threatened release to minimize any potential harm or damage to persons, property, or the environment.

(C) Evacuation plans and procedures, including immediate notice, for the business site.

19 CCR Section 2658

(a) immediate notification of:

(1) local emergency response personnel;

(2) the administering agency and the California Governor's Office of Emergency Services pursuant to article 2 of this subchapter;

(3) persons within the facility who are necessary to respond to an incident;

(b) identification of local emergency medical assistance appropriate for potential accident scenarios;

(c) mitigation, prevention, or abatement of hazards to persons, property, or the environment;

(d) immediate notification and evacuation of the facility; and

(e) identification of areas of the facility and mechanical or other systems that require immediate inspection or isolation because of their vulnerability to earthquake related ground motion.

Emergency Response Plan Template

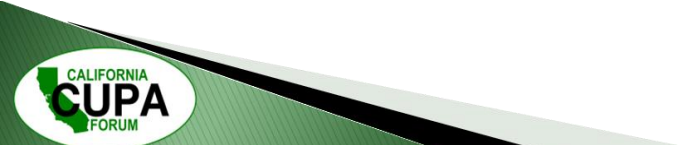
CALIFORNIA ENVIRONMENTAL REPORTING SYSTEM (CERS)			
CONSOLIDATED EMERGENCY RESPONSE / CONTINGENCY PLAN			
Prior to completing this Plan, please refer to the INSTRUCTIONS FOR COMPLETING A CONSOLIDATED CONTINGENCY PLAN			
A. FACILITY IDENTIFICATION AND OPERATIONS OVERVIEW			
FACILITY ID #	A1	CERS ID #	A2
BUSINESS NAME (Same as Facility Name or DBA - Doing Business As)		DATE OF PLAN PREPARATION/REVISION (MM/DD/YYYY)	
BUSINESS SITE ADDRESS		A3	
BUSINESS SITE CITY		A5	ZIP CODE
TYPE OF BUSINESS (e.g., Painting Contractor)		A8	INCIDENTAL OPERATIONS (e.g., Fleet Maintenance)
THIS PLAN COVERS CHEMICAL SPILLS, FIRES, AND EARTHQUAKES INVOLVING (Check all that apply):		A10	
<input type="checkbox"/> 1. HAZARDOUS MATERIALS; <input type="checkbox"/> 2. HAZARDOUS WASTES			
B. INTERNAL RESPONSE			
INTERNAL FACILITY EMERGENCY RESPONSE WILL OCCUR BY (Check all that apply):		B1	
<input type="checkbox"/> 1. CALLING PUBLIC EMERGENCY RESPONDERS (e.g., 9-1-1)			
<input type="checkbox"/> 2. CALLING HAZARDOUS WASTE CONTRACTOR			
<input type="checkbox"/> 3. ACTIVATING IN-HOUSE EMERGENCY RESPONSE TEAM			
C. EMERGENCY COMMUNICATIONS, PHONE NUMBERS AND NOTIFICATIONS			
In the event of an emergency involving hazardous materials and/or hazardous waste, all facilities must IMMEDIATELY:			
1. Notify facility personnel and evacuate if necessary in accordance with the Emergency Action Plan (Title 8 California Code of Regulations §3220);			
2. Notify local emergency responders by calling 9-1-1;			
3. Notify the local Unified Program Agency (UPA) at the phone number below; and			
4. Notify the State Warning Center at (800) 852-7550.			
Facilities that generate, treat, store or dispose of hazardous waste have additional responsibilities to notify and coordinate with other response agencies. Whenever there is an imminent or actual emergency situation such as an explosion, fire, or release, the Emergency Coordinator must follow the appropriate requirements for the category of facility and type of release involved:			
1. Title 22 California Code of Regulations §66265.56. Emergency Procedures for generators of 1,000 kilograms or more of hazardous waste in any calendar month.			
2. Title 22 California Code of Regulations §66265.196. Response to Leaks or Spills and Disposition of Leaking or Unfit-for-Use Tank Systems.			
3. Title 40 Code of Federal Regulations §302.6. Notification requirements for a release of a hazardous substance equal to or greater than the reportable quantity.			
4. Title 22 California Code of Regulations §66262.34(d)(2) and Title 40 Code of Federal Regulations §262.34(d)(5)(ii) for generators of less than 1000 kilograms of hazardous waste in any calendar month.			
Following notification and before facility operations are resumed in areas of the facility affected by the incident, the Emergency Coordinator shall notify the local UPA and the local fire department's hazardous materials program, if necessary, that the facility is in compliance with requirements to:			
1. Provide for proper storage and disposal of recovered waste, contaminated soil or surface water, or any other material that results from an explosion, fire, or release at the facility; and			
2. Ensure that no material that is incompatible with the released material is transferred, stored, or disposed of in areas of the facility affected by the incident until cleanup procedures are completed.			
EMERGENCY RESPONSE PHONE NUMBERS:	AMBULANCE, FIRE, POLICE AND CHP	9-1-1	
	CALIFORNIA STATE WARNING CENTER (CSWC)/CAL OES	(800) 852-7550	
	NATIONAL RESPONSE CENTER (NRC)	(800) 424-8802	
	POISON CONTROL CENTER	(800) 222-1222	
	LOCAL UNIFIED PROGRAM AGENCY (UPA)	C1	
	OTHER (Specify):	C2	
NEAREST MEDICAL FACILITY / HOSPITAL NAME:		C4	
AGENCY NOTIFICATION PHONE NUMBERS:	CALIFORNIA DEPT. OF TOXIC SUBSTANCES CONTROL (DTSC)	(916) 255-3545	
	REGIONAL WATER QUALITY CONTROL BOARD (RWQCB)	C8	
	U.S. ENVIRONMENTAL PROTECTION AGENCY (US EPA)	(800) 300-2193	
	CALIFORNIA DEPT. OF FISH AND WILDLIFE (CDFW)	(916) 358-2900	
	U.S. COAST GUARD (USCG)	(202) 267-2180	
	CAL OSHA	(916) 263-2800	
	CAL FIRE OFFICE OF THE STATE FIRE MARSHAL (OSFM)	(916) 323-7390	
	OTHER (Specify):	C7	C8
	OTHER (Specify):	C9	C10



#7 Violation

**Failed to electronically submit accurate
business Owner/Operator ID and
Business Activities pages**

Citation: 19 CCR Section 2652(a)(1); HSC Sections
25508(a)(1), 25508(a)(3)



Select the applicable business activities

Hazardous Materials

Does your facility have on site (for any purpose) at any one time, hazardous materials at or above 55 gallons for liquids, 500 pounds for solids, or 200 cubic feet for compressed gases (include liquids in ASTs and USTs); or is regulated under more restrictive local inventory reporting requirements (shown below if present); or the applicable Federal threshold quantity for an extremely hazardous substance specified in 40 CFR Part 355, Appendix A or B; or handle radiological materials in quantities for which an emergency plan is required pursuant to 10 CFR Parts 30, 40 or 70?

☒ Yes

Underground Storage Tank(s) (UST)

Does your facility own or operate underground storage tanks?

☐ No

If you are unsure about which activities apply to your facility, click the blue question marks or reach out to your regulator

Locate your CUPA: [Regulator Search \(ca.gov\)](https://www.ca.gov/regulators/)

Keep track of personnel changes and ensure CERS is accurate

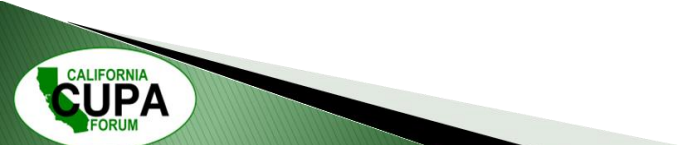
The business owner operator ID form should record the following personnel:

- Owner
- Facility Emergency Contacts
- Billing Contact
- Environmental Contact
- Property Owner

#8 Violation

Failed to establish and implement a business plan when handling hazardous materials in reportable quantities

Citation: HSC Section 25507



Exemptions & Exceptions



26th California Unified Program
Annual Training Conference
February 26 - 29, 2024

Consumer Product Exemption

Consumer products handled at a retail establishment intended for direct sale are exempted, the exemption does not apply to:

- Material that is manufactured on site or dispensed on retail premises
- Material with an NFPA or HIMS rating of 3 or 4 that is stored in quantities that exceed 165 gallons, 600 cubic feet or 1,500 pounds

Note: CUPA may determine if a consumer product should be reported

Reportable thresholds and exemptions

Criteria	Threshold
Mixtures consisting of less than 1% of a hazardous material or 0.1% for carcinogens	All amounts exempt
Compressed air used for emergency response and safety	All amounts exempt
Extremely hazardous substances, as defined by the 40 CFR, §355.61	Threshold planning quantity (Appendix A , Appendix B of Part 355) or 500 pounds, whichever is less
Refrigerants in a closed cooling system (not including ammonia or flammable gases) that is used for comfort cooling or to cool computer rooms	All amounts exempt
Radioactive materials	If listed or required by Nuclear Regulatory Commission (NRC), requiring emergency plan.

Reportable thresholds and exemptions

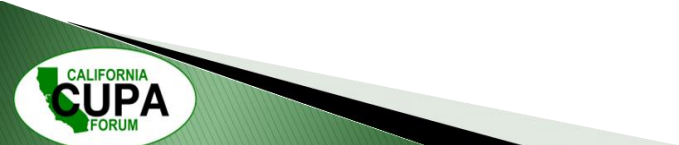
Criteria	Threshold
Simple asphyxiants (nitrogen, helium, argon, neon, krypton, xenon) and mixtures of these gases containing 21% or less of oxygen	1,000 cubic feet
Carbon dioxide	1,000 cubic feet
Oxygen, nitrogen, and nitrous oxide used at a health service facility (medical, veterinary, etc.)	1,000 cubic feet
Nonflammable refrigerant gases used in a refrigeration system	1,000 cubic feet
Gases in closed fire suppression systems	1,000 cubic feet
Propane used for cooking, heating employee work areas, or heating water at a business	>500 gal

Reportable thresholds and exemptions

Criteria	Threshold
Fluid in a closed hydraulic system	All amounts exempt, if aggregate storage of oil at the facility is less than 1,320 gal
Irritants and sensitizers	550 gal if liquid, or 5,000 lbs if solid
Lubricating oil	>55 gal of each type or >275 gal aggregate
Oil-filled electrical equipment not contiguous to an electric facility	All amounts exempt, if aggregate storage of oil at the facility is less than 1,320 gal
Recyclable paint	10,000 lbs solid or 1,000 gal liquid
Combustible metal or metal alloy defined as a combustible dust, flammable solid, or magnesium	100 pounds

HMBP Implementation

Features of the HMBP should be implemented on site, what you say you do in the emergency response plan and employee training plan should be carried out. Example: (no absorbent on site).



#9 Violation

Failed to update the business plan within 30 days of a:

- 100 percent or more increase in the quantity of a previously disclosed material.
- Any handling of a previously undisclosed hazardous material subject to the inventory requirements of this article.
- Change of business or facility address.
- Change of business ownership.
- Change of business name.
- A substantial change in the handler's operations occurs that requires modification to any portion of the business plan.

Citation: HSC 6.95 25508.1(a)-(f)

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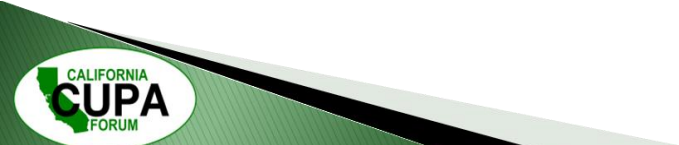
Keep track of inventory fluctuations

Keep a current inventory, fluctuations in inventory quantity must be accounted for.

In many cases it may be practical to slightly over report the maximum daily amount.

Designate update responsibility appropriately

Responsibility should be designated to an individual who is familiar with the inventory and forms uploaded to CERS.



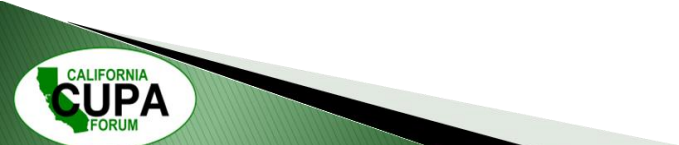
#10 Violation

Failed to ensure the business plan was readily available to site personnel responsible for emergency response or training

Citation: HSC Section 25505(c)

Failed to ensure the business plan was readily available to site personnel responsible for emergency response or training

- Print it out or ensure it can be provided electronically





Any Questions?

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CalEPA Hazardous Materials Business Plan Unit: HMBP@calepa.ca.gov

Please refer to the [Unified Program Regulator Directory](#) to search for and view contact information for your local UPA for any questions and assistance.

<https://cersapps.calepa.ca.gov/public/directory/>