

SESSION INTRODUCTION

> Agenda

- General stuff
- State reporting requirements, unofficial guidance Proposed 19 CCR regs
- Federal reporting requirements





- Local reporting
- Tips

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 Q&A from the crowd (throughout)

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REPORTING RELEASES...

- > Welcome to the wide world of spill and release reporting
 - You have just entered a Byzantine world of definitions and applicability; similarities and differences; specifics and nebulosity...but help's (allegedly) coming!
- > Similar, overlapping but separate requirements



 One spill/release may trigger multiple reporting requirements

REPORTING RELEASES...

- Major Federal vs. State differences in definitions and requirements
- > Additional local & permit issues
- > A situation does not need to pose a 'hazard' or need an emergency response to be reportable!
 - e.g. sheens, safety hazard, threatened releases
 - Discovery of contamination
 - from prior release

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Reporting is NOT the same as recording



IN SUMMARY

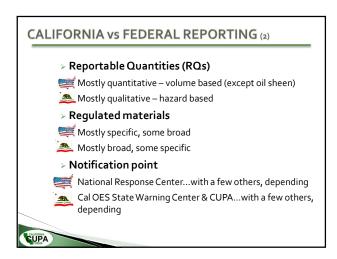
California Reporting

- Primarily hazard based
 HSC 25510(a) & 19 CCR 2631(c)
 Other state statutes
- More subjective
- It may take time to make a defensible determination that
- an event was NOT reportable • Some statutory & regulatory
- requirements not <u>yet</u> clear Off-site releases?
- Nearly <u>always</u> reportable
- On-site releases?
- Reportablility varies depending
 upon various subjective criteria
- and scenario

- > Federal Reporting
 - Primarily quantity based
 Various statutes
 - More quantitative
 May have time flexibility to
 - calculate Off-site release?
 - Not always reportable Depends on media and quantity
 - On-site releases
 Usually not reportable
 - If contained and no off-site migration/transfer

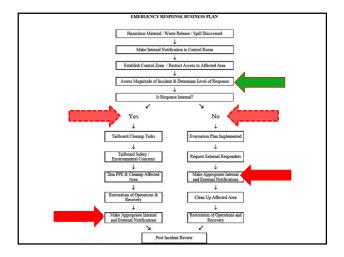




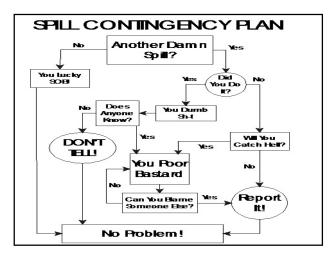














PRIMARY CALIFORNIA HAZARDOUS MATERIALS REPORTING – it's almost ALL reportable

- Handler must, upon discovery, immediately report any* release <u>or</u> threatened release of a hazardous material (HSC 25510(a))
 - Highway transportation of hazmat exempt (b), but covered elsewhere (CVC 2453 & 23112.5)
 - References conformance with regulations (19 CCR 2631)
 - Handler = any business handling HM. Includes employees,
- authorized representative agent, or designee.
- Report to:

1. CUPA/PA/AA

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 Cal OES Warning Center
 911 (if necessary)

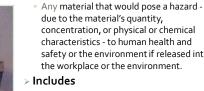






WHAT IS A HAZARDOUS MATERIAL?

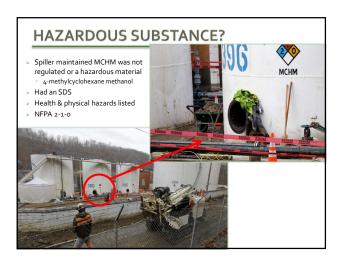
> Per HSC 25501(n)



due to the material's quantity, concentration, or physical or chemical characteristics - to human health and safety or the environment if released into the workplace or the environment.

• Hazardous substances:

- Anything requiring a SDS, all Fed radioactives (10CFR30.72 Sch. C), all 49 CFR 172 DOT HMs
- Hazardous wastes





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BUT IS IT ALL REPORTABLE? The current 19 CCR 2631(c) 'Exception'

"The immediate reporting pursuant to subsection (a) of this section shall not be required if there is a reasonable belief that the release or threatened release poses no significant present or potential hazard to human health and safety, property, or the environment."

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Reasonable belief

> Issues:

- A Threatened release
- Poses no significant present or potential hazard to human health and safety, property, or the environment

THE SUBJECTIVE - QUALITATIVE STUFF "The immediate reporting pursuant to subsection (a) of this section shall not be required if there is a reasonable belief that the release or threatened release poses no significant present or potential hazard to human health and safety, property, or the environment." No statutory or regulatory criteria (*yet**) for: Reasonable belief Threatened release Poses no significant present or potential hazard to human health and safety, property, or the environment No public-reviewed, enforceable agency guidance either Cal OES S&RR Guidance (Feb. 2014) is mostly fact/HSC/CCR-based... but has good interpretation or guidance on the above

 Some CUPAs, CAER groups and LEPCs have unenforceable (but still good) guidance documents



California 1. Manusci de duce d'anna de la propie media de la	Cal OES Guidanc	e	INCIDENT/RELEASE ASSESSMENT Handlers of hazardose materiala are required to report reloase. The a took to be used for assessing of a release is potentially reportable an ellapter 8.6 st of the California Health and SchyC Code. This assessm not replace agod judgement. Clapter 6.5% or other state or faderal or gravitorenses. The double, report herebase. Has energyiny, o	follow requir ent to rlease	ving is ed by ol does report-
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MORE CLARITY IS A'COMIN'...maybe

- Chapt. 6.95 revisions: HSC 25510(c) [SB1261 (...2016)]
 Cal OES trying to adopt implementing regulations
 - CalOES consulted with regulated entities, trade associations, fire service organizations, federal, state, and local organizations CUPA's etc.) & others several years ago
 - Proposed regulations gone through a few iterations based on group comments/suggestions
 - Latest is the 3rd draft 5/5/2021)... on OES website and on class pdf handout
 - Draft and ISOR in OES legal review for past several years
 Next step is formal public notice and request for comment





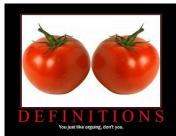
DRAFT 19CCR DIV 2 CHAP. 4 CHANGES

- >§2620 Definitions: Completely revamped section. Includes definitions for:
 - Control
- Contained release
- Immediate
- Incidental release
- Release

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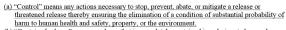
- Release reporting
- Significant
- Threatened release



DRAFT 19CCR DIV 2 CHAP. 4 CHANGES

> Example §2620 definitions:

For the purposes of this Chapter only:



- (b) "Contained release" means a release that is completely contained in a designated secondary containment area and is recovered from or neutralized or otherwise treated in secondary containment within 24 hours of discovery. No release reporting is required for a contained release if there is no significant hazard posed to the people or the environment in the immediate area or in areas in the path of the release, or from byproducts or its effects, such as vapors, fire, over-pressurization, toxic gases or toxic particulates.
- (e) "Incidental release" means a release of a hazardous material that does not pose a significant hazard to health, safety, property, or the environment. Incidental releases are limited in quantity, exposure potential, or toxicity, and may be safely cleaned up or mitgated by properly trained facility personnel or contractors. No release reporting is required for an incidental release if there is no significant hazard posed to the people in the immediate area or in areas in the path of the release, or from byproducts or its effects, such as vapors, fire, overpressurization, toxic gases, or toxic particulates.

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DRAFT 19CCR DIV 2 CHAP. 4 CHANGES
> Example definitions: *includes" Means not limited to JUST these examples
 (i) "Release" is defined in HSC, Section 25501(p), "Release" includes the abandonment or discarding of barrels, containers and other closed receptacles containing any hazardous substances, pollutants or containing that may harm people, environment or property, unless permitted or authorized by a regulatory agency. "Release" further includes spills into the workplace that may threaten harm to facility personnel. (k) "Significant" means a release or spill of hazardous materials that poses an imminent actual or potential hazard to health, safety, property, or the environment. (i) "Threatened Release" is defined in HSC, Section 25501(0), and means that a release is imminent. If the threatened release is not contained, stopped, or removed, the threatened release would pose a significant bazard to people in the immediate area or in areas in the path of the threatened release.
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DRAFT 19CCR DIV 2 CHAP. 4 CHANGES

Recall the exclusion to §2631 'significant release' reporting:

(c) The immediate reporting pursuant to subsection (a) of this section shall not be required if there is a reasonable belief that the release or threatened release poses no significant present or potential hazard to human health and safety, property, or the environment.

The upshot?

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- No change to California's basic concept of hazardbased reporting
- Clarifies/defines previously undefined terms
- > Appears reasonable (Uncle Steve's opinion)

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EXAMPLES/SCENARIOS: <u>Likely</u> Significant Mostly From OES & CUPA Guidance Docs

- > Any release of a hazardous material that results in a chemical exposure, or any other hazmat-related injury, to an employee or member of the public
- > If any part of a release, including airborne releases, extends outside of the facility boundaries
- > Any release or threatened release of a hazardous material that results in an evacuation
- > Any release that requires the use of respiratory protection for mitigation and/or abatement

EXAMPLES/SCENARIOS: <u>Likely</u> Significant Mostly From OES & CUPA Guidance Docs

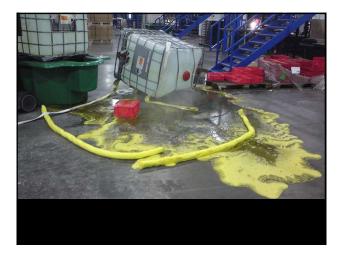
- > Any release or threatened release where emergency response personnel are called
- > Any release or threatened release where the facility emergency or contingency plan has been activated (beyond determination that a release occurred)
- Any release of a Regulated Substance (CCR Title 19), Extremely Hazardous Waste (CCR Title 22), Extremely Hazardous Substance (EPCRA Section 302) or Acutely Hazardous Material (40 CFR) <u>that is > Federal RO</u>
- > Any release which is reportable per federal or other state laws and/or regulations











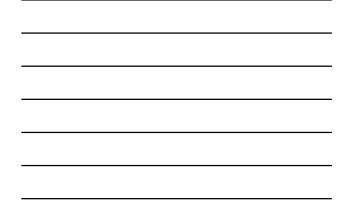






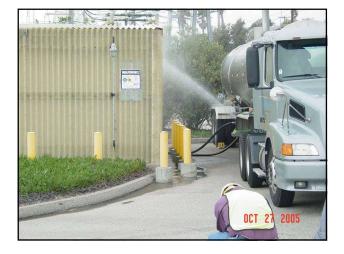


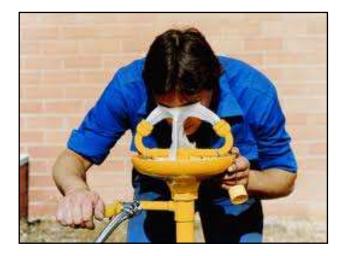














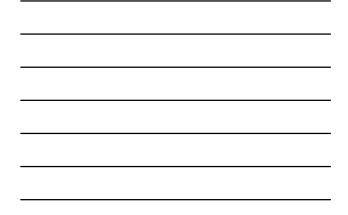
















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EXAMPLES/SCENARIOS: <u>May Be</u> Insignificant Mostly From OES & CUPA Guidance Docs

> See draft proposed regs:

 Incidental spills or releases...
 Limited volume, toxicity, flammability or other hazard... within facility or contractor capabilities



- or other hazard... within facility or contractor capabilities • Caveat: No significant health or safety threat
- e.g. usual PPE for routine handling vs additional PPE for the clean up?
 Spills into containment (if decent containment and not a holy
- crap material)
- Cleaned up or removed within 24 hours

> But don't forget environmental hazard

• Containment permeability... cracks, etc.

• Evaporation



















































WHEN IS NOTIFICATION REQUIRED?

- For verbal notification under 19 CCR 2703(a)
 Immediate verbal report to Cal OES Warning Center and CUPA/AA
 - Immediately upon knowledge of an actual or threatened release
 - Question to think about: <u>WHEN</u> do you have knowledge of the release?
 - And notification can be made without impeding immediate response or control
 - Or without impeding immediate emergency medical procedures

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OTHER REPORTING TIMEFRAMES: It's not just 19 CCR!

- > APCD/AQMD breakdown, Title V deviations
 Notify air district within 1 hour to 4 hours to 72 hours...
 Some deviations can wait until certification season
- > Non-authorized non-stormwater discharges to stormwater
 - Report in SWPPP Annual Report

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- > RMP/CalARP `accidents' to US EPA/CUPA
- > Threat of air contaminant release near school
- Air pollution control officer must notify CUPA/PA and local FD within 24 hours

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Tricky one... California Water Code § 13271

California Water Code §13271 requires any person who, without regard to intent or negligence, causes or permits any hazardous substance or sewage to be discharged in or on any waters of the state, <u>or</u> <u>discharged or deposited where</u> <u>it is, or probably will be</u>, discharged in or on any <u>waters of the state</u> to notify ... ° WOTS: Includes groundwater

спту	ADDRESS/LOCATION	GWD	TOTAL DEPTH	DATE	SOIL TYPE
Huntington Beach	5555 McFadden Ave. & Oraham	15	25	3/9/2004	
Huntington Beach	6502 Bolsa & Edwards	7	20	5/14/2003	
Huntington Beach	Beach Blvd. & Edinger	.8		6/15/1998	
Huntington Beach	Beach Blud, & Ellis	40	40	46/2000	SW/SM
Huntington Beach	Bolsa & Edwards	10			
Huntington Beach	Bolsa & Edwards	7	35	1/2/2003	SM
Huntington Beach	Bolsa & Edwards	10	35	10/20/2003	
Huntington Beach	Bolsa Chica & Edinger	10			
Huntington Beach	Brookhurst & Garfeld	15		7/2/1998	
Huntington Beach	Edinger Ave & Goldenwest	12	26	3/10/2000	SMICL
Huntegton Beach	Garfield & Beach	72			
Hundington Beach	Golden West & Warner	14			
Huntington Beach	Golden West & Westminster	10			
Huntington Beach	Magnolia & Adams	10	25	4/18/2000	SM
Huntington Beach	Main St. & Yorktown Ave.	11		1/25/1999	
Huntington Beach	Seapoint & PCH	12		1/0/1999	
Huntington Beach	Stewart & Cartest	107		6/18/1998	
Huntington Beach	Taibert & Gothard	38			

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WHO MUST NOTIFY? Varies by statute/reg... but basically > Business Handler (aka a business with HMs) Any of the handlers': • Employees • Authorized reps • Designees • State agencies (per Wilson memo) • Designated Government Employees

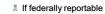
WHO(M) DO I NOTIFY?

> CUPA/AA/PA*

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- > 911 (if necessary)
- State Warning Center (Cal OES)





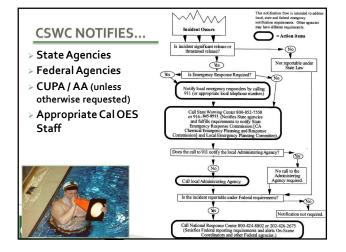
Other agencies

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Agency-specific laws/regs, permits, agreements, etc.
* HSC 25510(d): CUPAs must establish a non-emergency release reporting phone number









 this info! Person reporting Where the release occurred What happened Chemical name or identity of substance Estimated quantity of release Date, time and duration of release Media into which the release 	 Known or anticipated health or environmental risks (EPCRA) Any medical advice Precautions or actions taken (evacuation, containment, clean-up, etc.) Local or other agencies notified Name, address and call back number of reporter Name, address and phone
	 Name, address and phone number of responsible party
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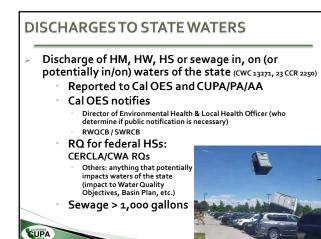
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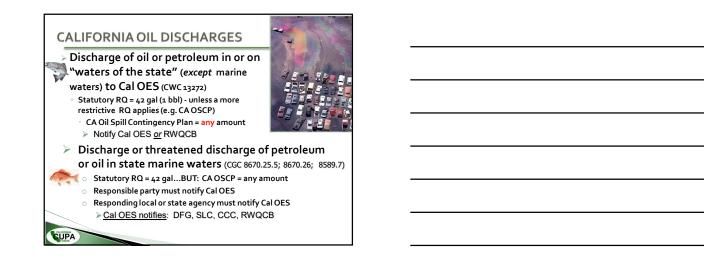
TRANSPORTATION INCIDENTS INCALIF. HighwaysOumping, spill or release of HM or HW onto a highway, street or other publicly maintained road (CVC 23112.5(a)) Person dumping, spilling or causing must immediately report to CHP (or agency with traffic jurisdiction) Reporting to CUPA/PA not addressed NO RQ or exemption...it's ALL reportable! CHP will notify Cal OES (except for fuel tank releases <42 gals) Written report to CHP within 30 days (13 CCR 1160 - 1166) Applies to transportation of HMs in either placarded vehicles or any other vehicle transporting hazardous materials (some exceptions) Requirement falls on "carriers" Use DOT Form F5800.1 (Hazardous Materials Incident Report)

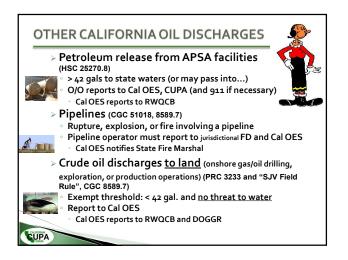
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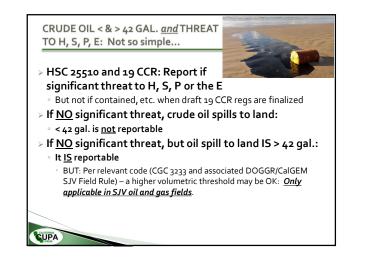
PRAINSPORTATION INCIDENTS IN CALIF. Pailways (PUC 7672.5) Incidents resulting in HM release or threatened release Railroad company must report to Cal OES per HSC 25507 and to appropriate (i.e. local) emergency response agency



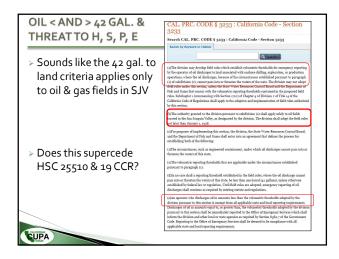




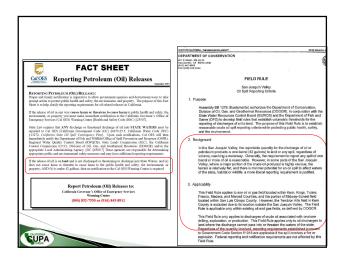








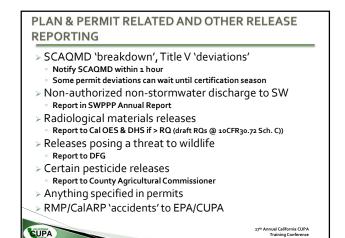














> DTSC requirement (Hsc §25359.4) Requires reporting of stuff NOT reportable under other state or federal statutes, but that STILL poses a significant threat to public health, safety, or the environment > Within 30 days of discovery



- DTSC reporting form and detailed fact sheet (Jan 2008)
- Reporting obligation on property owner... in addition to person causing the release
- Phase I and II assessment & audit issue: Beware!
- Exclusions for anything already reported

REPORTING REQUIREMENTS FOR AGENCIES

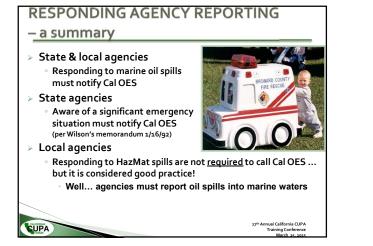
> EHS Releases within 1/2

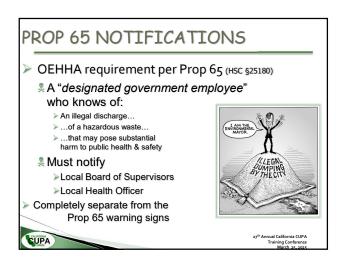
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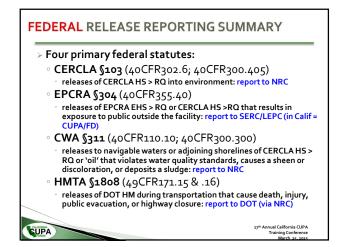
- mile of a school (HSC 25507.10) Emergency rescue personnel school district superintendent
- > Reasonably foreseeable threat of an air contaminant release from a source within 1,000' of a school (that could have any impact on persons at the school) (HSC 42301.7)
- Air pollution control officer must notify CUPA/PA and local FD within 24 hours











Chemical Safety and Hazard Investigation Board (CSB) proposed rulemaking (NPRM) 12/2019 for <u>new chemical release reporting</u> requirements

- > Ordered by a Wash. DC District Court
- Rule would require owners/operators to notify CSB within four hours of any accidental release within CSB's jurisdiction
- Intended to give adequate time for facilities to respond to the release and collect information that would be pertinent to a CSB investigation
- If a report has already been made to the NRC under 302.6, the facility must simply notify CSB of the NRC identification number associated with the release
- Applies to chemical accidents involving a fatality or hospitalization
- > If report has already been made to the NRC under 302.6, facility
- must simply notify CSB of the NRC release report ID #

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FEDERAL RELEASE REPORTING SUMMARY(2)

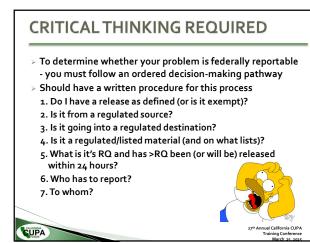
 Several other federal requirements
 RCRA, TSCA, CAA, OSHA



- Applicability also not limited emergencies

 Non-routine situations/incidents
- Statistical change in stuff already reported
- Discharges/releases not specifically covered under facility permits
- > Limited to specific lists of substances
- > Limited to specified volumes (RQ)
- > Limited to releases "into the environment"
- > Same terms different meanings





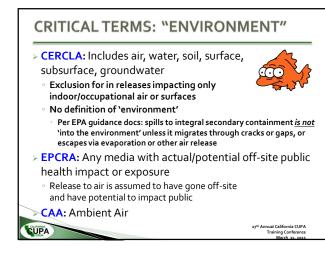
CRITICAL TERMS: "FACILITY"

- CERCLA: Anything within plant boundaries; pipelines; vessels; motor vehicles (even in the course of transportation on the highway), etc.
- > EPCRA (§304): Same as CERCLA (but not vessels) which are owned or operated by same person
 - EPCRA §§301, 302, 311 313: only stationary structures
 But for §304 reporting: Vehicles, aircraft & rolling stock <u>are</u> included as a 'facility'
- > CAA: Stationary Sources

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- > CWA: On-shore/off-shore facilities & vessels
- > RCRA: Area where you handle HW

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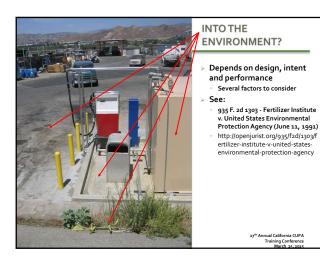


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CRITICAL TERMS: "ENVIRONMENT"

- > CWA: Limited to 'navigable waters' and adjoining shorelines
 - usually includes storm culverts, swales, ditches, etc
 - generally does not include groundwater or any soils
- > TSCA (PCBs): Variable and includes (depending on PCB conc.) navigable waters, surface waters, drinking water supplies, grazing lands, veg gardens
- > Don't forget!! Chemicals migrate...the spill on the ground surface is evaporating, traveling out the HVAC system, oozing through the floor, blowing in the wind, and soaking into the asphalt.

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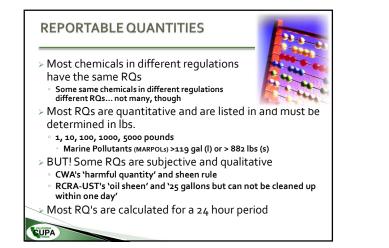
CRITICAL TERMS: "RELEASE/INCIDENT"

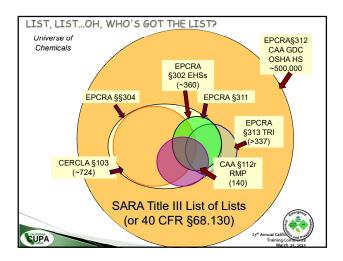
- Hazardous substances do not actually have to be released (e.g. DOT/transportation incidents)!
- Which means...RQ's and specific listed chemicals are moot!
- > Generally includes:
- Besides the standard..."Spilling, leaking, pouring, escaping, etc."
 Also includes statistically significant increase in a continuous release
- Also includes any specific notification requirements specified in facility/ equipment permits
- Just like California!

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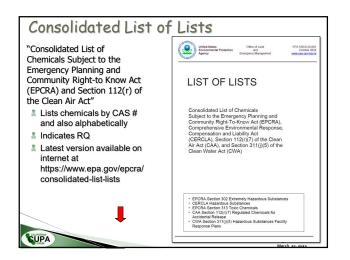






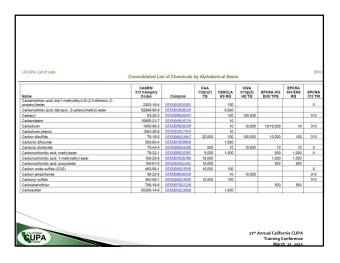








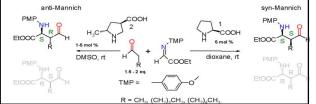


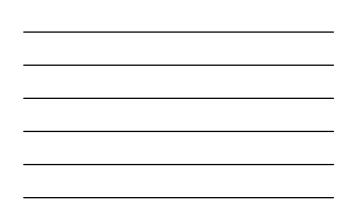


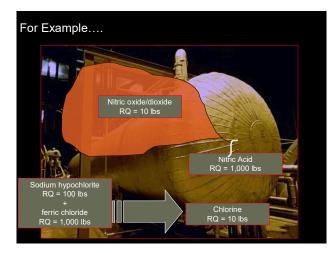


REACTION PRODUCTS

- Hazardous substances released as reaction products must be reported!
- > Even if the chemicals which are reacting together are not reportable,
- > Reportable quantity for the reaction product is applicable.

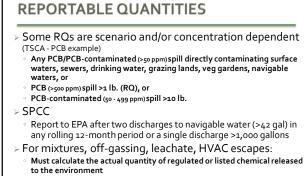












 If the concentration of the listed chemical/waste is unknown...must include the <u>whole</u> mixture/waste stream in RQ calculations

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RQ EXAMPLE

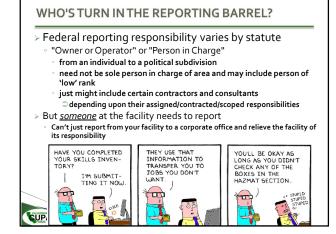
- A 330-gallon DOT tote containing a spent solvent mixture with 50% spent 1,1,1-trichloroethane falls off the truck
 140 gallons spills out
- > RQ for 1,1,1-trichloroethane = 1,000 lbs.
- > RQ for Foo1 RCRA waste = 10 lbs.
- ls it a reportable release?
- © Concentration known = 140 gal X 10.5 lbs./gal = 1,470 lbs. x 50% conc. = 735 lbs. (< 1,000 lb TCA RQ)
- \otimes Concentration unknown = 140 x 10.5 = 1,470 lbs (> 10 lb F001 RQ [10 lbs. of TCA is < 1 gallon!])
- Street closure > 1 hour....DOT RQ even if NO release
- Unlisted [i.e. 'undetermined'] ICR HW: RQ = 100 lbs.)
- TCLPToxic HW: RQ = lowest RQ for the individual toxic constituent(s)

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Spill & Release Reporting 2025 CUPA Conference



NOTIFICATION TIME FRAMES

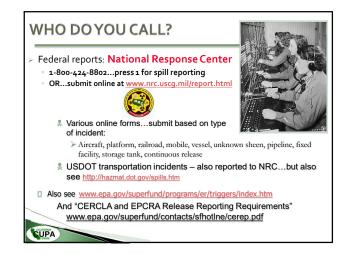
- Most reports & notifications must be made immediately
 - unless immediate reporting will impede initial emergency action (yeah...)
 - EPA considers anything over 15 minutes (initial verbal) and over 7 calendar days (written followup) to be a violation subject to penalties



- www.epa.gov/Compliance/resources/policies/civil/epcra/epcra304.pdf
- EPCRA reporting really must be *immediate*

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Written follow-up can follow within 10 - 30 days (USTs - 45 day reports plus others)





NATIONAL Response Center	2					
800-424-8802	ABOUT US SERVI	CES CONTACT US				
:: TERRORIST INCIDENTS ::	: ONLINE REPORT FORMS ::					
Any incident related to terrorism or possible terrorist activity requires telephonic notification to the National Response Genter, DO NOT SEND AN ON-LINE REPORT !	Reports taken by the NRC are and each report requires a dif The following list of Incident Type reports are available for submits the type of Incident rypo wish to or form with as much detail as pos- mandatory and the form cannot filled out.	ferent subset of information. es covers these areas and the sion via our web site. Select eport and fill in the associated sible. Fields listed in RED are				
This would include bombings, bomb threats, suspicious letters or packages, and incidents related to the intentional release of chemical, biological or radioactive	The NRC will contact the Respo of receiving an online report to j Number. If you have not he minutes, please contact us (800-424-8802).	provide an official NRC Report ard from the NRC within 30		An UNKNOWN SHEEN Incident		
advolgate of advantation standars have been rasined to ask specific questions for such reports and will immediately pass the information to the proper agencies for response. Contact the NRC at:	AIRCRAFT	PLATFORM	pertains to containers that store	type pertains to any material on		
	An AIRCRAFT Incident includes all ancraft, commercial and private, ministen typing or grounobal. For exemple, a hydrautic leak from an andergoing repairs would require a report.	A PLATFORM Incident is specifically for offshere or near shire oil and hattraip as extracting facilities. The area fields that need to be entered in this report, unless the platform his state waters. Phase enter the OCSS, OCSP, or state lease surbears in the report.	hazardous materials located virtually anywhere including facilities, private property, and Common storage table, includents include leaking or overflied home heating oil tanks, ruptured underground storage tanks from construction activity and	the water that has been discovered and whose source is unknown. Please describe the size and color of the material and an estimate of the amount released. (16: less than a gallon, less than 100 gallons, etc.). Information on weather and direction of movement are also		
800-424-8802 or	CONTINUOUS RELEASE	RAILROAD	petroleum storage facilities.	important.		
202-267-2675	A CONTINUOUS RELEASE is a release above the Federal limits.	A RAILROAD Incident includes all transportation modes used	PIPELINE	VESSEL		
	atio catted reportable quantity (RO), data for melli gerational on a face (RV), this included type has a face (RV), this included type has a face (RV), this included type has compared to the report of the report Compared to the report of the report Compared to the report of the report of the report of the report of the report of the report end non-harmen tail includence and grade crossing accidents EPXS Continuous Release Program Check of their web site.		A PIPELINE Incident refers to pipelines that transport materials off site. This does not include pipelines within a facility. Such pipelines are often regulated by the Department of Transportation. Common pipeline types include flow, distribution and gathering	A VESSEL Report includes all transportation modes used on the water. Common reports include private vessels that accidentally release bilge water, oil barges with leaks, cranes that are on barges, etc.		
	FIXED	MOBILE	lines transporting crude oil or natural gas from one facility to			
	A FIXED Incident is the widest ranging incident type and includes the release of material from non-mobile machinery, redineries, menufacturing plants, and sumerous other fixed facilities.	A MOBILE Incident refers to all transportation modes used on land. It incides commercial and private vehicles, metorociale atc. Some of the most common incidents associated with this category are tractor-trailer accidents.	another. To print these forms for hard co page/printing margins as small as p right margin should allow you to prin any of the fields.	ossible. Typically, a .25" left an		
	STORAGE TANK	UNKNOWN SHEEN	Copyright + 2002, Nation	al Response Center		



NRC Online Tank Release Report			
800-424-8802 ABOUT US SERVICES CONTACT US ONLINE REPORTING >> Tank Report ::			
Please fill out the form as completely as possible. Fields in \ensuremath{RED} a	are mandatory entries.		
IS THIS A DRILL REPORT ? C YES C NO	YOUR E-MAIL ADDRESS:		
REPORTING PARTY	SUSPECTED RESPONSIBLE PARTY		
Phone 1: Type: Phone Type -	Last Name:		
Last Name:	First Name:		
First Name:	Phone 1: Type: Phone Type		
Phone 2: Type: Phone Type	Phone 2: Type: Phone Type		
Phone 3: Type: Phone Type	Phone 3: Type: Phone Type		
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NRC Online Tank Release Report, Cont'd						
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Location Description:						
Address Location:						
Nearest City:	Nearest City: Distance from Nearest City: Units: Choose Unit					
Direction: Choose Direction Range: Section: Township:						
Latitude: Degrees: Minutes: Seconds: Quadrant: Choose Ouedrant						
Longitude: Degrees: Minutes: Seconds: Quadrant: Choose Quadrant						
	TANIKICONTAINED	DETAILS				





Spill & Release Reporting 2025 CUPA Conference

NRC Online Tank Release Report, Cont'd					
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Tank/Container Description:		Tank/Container ID:],	
Above/Below Ground: • • Abov	e C Below	Transportable: C Yes	C No C Unknow	m	
Regulated: OYes ONo OU	iknown	Regulated by:			
Tank/Container Capacity:	Choose Unit 🔄 Amou	nt in Tank:	hoose Unit 🔄		
	MATERIAL INVO	DLVED			
Material	Chris Code	Release Amount	Units		
			Choose Unit		
			Choose Unit		
			Choose Unit	*	
			Choose Unit		
			Choose Unit	×	
	MATERIAL IN WATER I	NFORMATION			
Amount in Water:	Amount in Water: Units: Choose Unit Body of Water Affected:				
Offshore: 🔿 Yes 🌀 No	Offshore: C Yes © No River Mile Marker: Tributary of:				
Water Supply Contaminated: C Yes C No C Unknown Water Temperature: Units: Choose Unit					
Wave Condition: Choose Condition Speed: Units: Choose Unit Direction: Choose Direction					

EXEMPTIONS - see

- www.epa.gov/superfund/programs/er/triggers/haztrigs/hazexems.htm
- > Major exemptions for federal reporting
 - Releases resulting in only workplace exposures*
 - Continuous releases (actually an alternative reporting mechanism – <u>not</u> an exemption)
 - For stuff released as part of normal operations, but over a specific RQ
 - http://www.epa.gov/superfund/policy/release/faciliti.htm
 - Federally permitted releases
 - Releases over the RQ but allowed per a facility permit
 - Very conditional and limited
 - Just because emissions are allowed in a permit does not necessarily make it a 'federally permitted release'
 - Properly applied (released) pesticides & aq products

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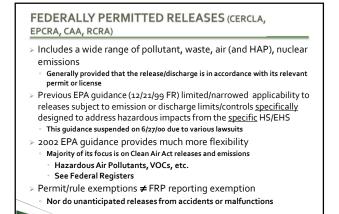
CONTINUOUS RELEASES

- An alternative notification process under CERCLA & EPCRA...it is NOT an exemption
- Must be initially reported (as a Continuous Release) verbally and in writing
- > Must be either:
- routine, anticipated, intermittent, incidental and normal.. OR
- continuous and uninterrupted
- > AND must be stable in quantity and rate
- A statistically significant increase is a new release
- See USEPA guidance





Spill & Release Reporting 2025 CUPA Conference



WRITTEN REPORTS, RECORDS AND FOLLOWUP - CALIF AND FEDERAL

» EPCRA §304 reportable incidents <u>ONLY</u> 19 CCR 2632 (state) and 42 USC 11004 (fed)

Any release of a CERCLA hazardous substance or Extremely Hazardous Substance at or above its specified Reportable Quantity with potential exposure to persons off-site

- "Emergency Release Follow-up Notice Reporting Form" Same info as verbal report <u>plus</u> Cal OES Control #, health effects info, updated actions taken
 - Complete and return within 30 days to SERC/LEPC (via Cal OES)

> Others:

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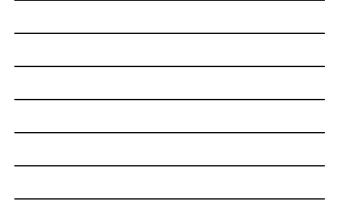
HW 'operating record'; UST operating record; SWPPP; DOT; SPCC; Title V

Permit-required



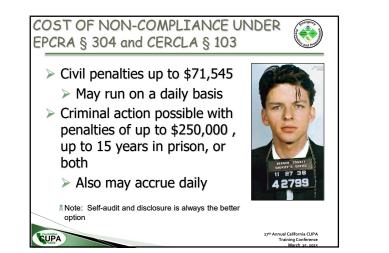
27th Annual California CUPA Training Conference

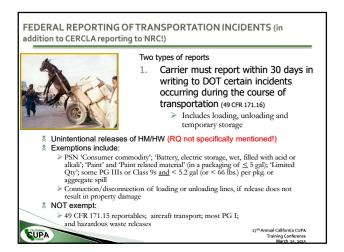
			EMERGENCY RELEASE FOLLOW - UP NOTICE REPORTING FORM
	1	ł	BUSINESS NAME FACIUTY EMERGENCY CONTACT & PHONE NUMBER
	4 /	Ì	INCIDENT MO_DAY_YR TME OES (ver 24 hrtme) OES CONTROL NO. INCIDENT ADDRESS LOCATION CITY/ COMMUNITY COUNTY 20
 19 CCR 2632: Written Reporting of Emergency Releases (a) <i>If required</i> to submit a written emergency release follow-up notice <i>pursuant to 42</i> 	Ę		OHMOLION TAKAE NAME gars or type CASI have ar OHMOLION TAKAE NAME gars or type CASI have ar OHMOLION TAKAE NAME gars or type Casi to the type OHMOLION TAKAE NAME gars or type Casi to the type OHMOLION TAKAE NAME gars or type Casi to the type OHMOLION TAKAE NAME gars or type Casi to the type OHMOLION TAKAE NAME gars or type Casi to the type OHMOLION TAKAE NAME gars of type Casi to the type OHMOLION TAKAE NAME gars of type Casi to the type OHMOLION TAKAE NAME gars of type Casi to the type OHMOLION TAKAE NAME gars of type Casi to the type OHMOLION TAKE NAME gars of type Casi to the type
U.S.C. section 11004(c) (1989), or as that section may be subsequently amended, a		ľ	
business shall prepare the written emergency release follow-up notice using the form specified in subsection (c) of this section.			
Form Sent to:	[_		XXXVN OR ANTICIDITED HEALTH EPFECTS (Use the comments action for addition information) CAUTE OR MARELAR'S equalsh GROPORCE OR LUVED (organism) NOTRNOWN (organism)
State Emergency Response Commission (SERC) / LEPC Attn: Section 304 Reports	G	1	ADVICE REGARDING MEDICAL ATTENTION NECESSARY FOR EXPOSED NOMIDUALS
3650 Schriever Avenue Mather, CA 95655	ŀ		
CUPA			CERTIFICATION Liseffs under predy of the thall have personally examined and I an familiar with the information schematic and a beine the schematic information in scaratia, and somp late. REPORTING FACILITY REPRESENTATIVE given Lortspei SIGNATURE OF REPORTING FACILITY REPRESENTATIVEAATE:





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FEDERAL REPORTING OF TRANSPORTATION INCIDENTS (cont.)

- 2. Person <u>in physical possession of HM</u> 'during the course of transportation' must report to NRC w/in 12 hours for the following incidents (49CFR171.15)
 - Death/hospitalization, due to HM release
 - Public evacuation or major street closure > 1 hour
 - Aircraft operational or flight pattern change
 - Release or suspected contamination from infectious substance
 - Radiological release

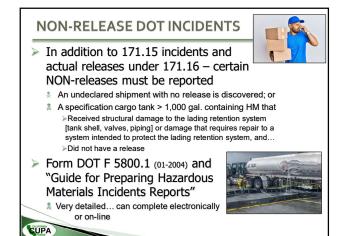
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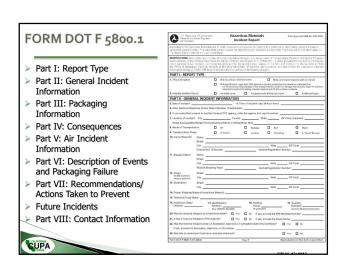
- MARPOL > 119 g or 882 lb
- Continuing danger or other holy crap type of incident
- Followed by DOT written report





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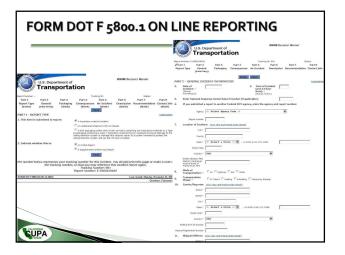


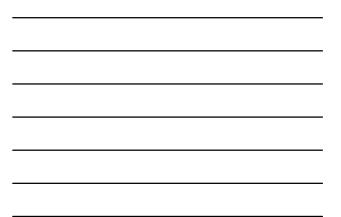


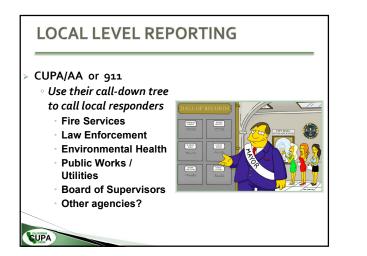
		PART IV - CONSEQUENCES			
		20. Result of Incident Shock at that apply:			
			Conversion Deservice D F		
PART II - PACKAGING INFORMATION		PL Emergency Response : The following en			NO PERSONA
24. Check Pashaging Type (check only one - If mare that one. In type of pashaging a	copy Part III, and complete for each type	C FraEMS Report 4			dama Photos Com
Non-balk DIC Corpo took Motor V	Teacer				Canal Distriction
Dotate DMM Development	Diher		cost more than \$5007	U Yes U No	
		If yee, enter the following information: Meterial Low Carrier Damas	If no, go to question 30. Property Damage:		
25. See instructions and only: The appropriate failure codes from if at the ond of the in that converponds to the particular pockacing two checked above. Enter the numb	etructions. Be same to ander the codes from the list or of podes as appropriate to describe the incident		 Property cumage: 1 		
Enter the read important failure point in line 1. If there are more than two follow	points, provide in this fermal in part VL	these damage codicitions in the instructional			
1. What Palled How Palled	Causes of Patients	33a, Did the hoppedous metarial souse or cort	ribula to a human Making?	TYPE IN NO.	
2. What Fallod: How Fallod:		If pes, enter the number of lotalities result			
		Potestus: En	ployees Rasp	inden 0	aneral Public
28a. Provide the packaging identification markings, if available.		20. Ware there human tradities that dol not	wait from the base-front materia	T Dive Dive	Eves, how manuf
Identification Martings	and the second se	H. Did the harandous material cause or pontri	Name to possible and indexe?	O Yes O No.	
205. For Non-Julik, IBC, or non-specification packaging, if identification markings are		If eas, enter the number of injuries resulting		10 mm	
complete the following:	receipters of understate, see intractors and	Hospitalized (Admitted Cely) Elv		anders 0	anaral Public
Single Package or Outer Packaging: Single	Package or leaver Packaging (# and)		ployees Fere		
Packaging Type: Packag	ang Tape:	te g.: On site find aid se Emergency Room-obser	warion and release)		
Material of Construction: Materi	al of Construction	35. Did the harondous motorial cause or contri-		C Yes C No.	
Hoad Type I Drume only? D Removable Main - Removable		If yes, provide the following information:			
27. Describe the package capacity and the quantity.		Total number of general public avacuated		playeos evecuetari	Total Evacuatori
Single Package or Outer Packaging: Single	Package or Inear Paskaging (It any)	Dutation of the evaluation (s			
	p Copuery	36. Was a major transportation artary or fault	ty closec?	The two if	sos, how many? then
	et in Packaga:	37. Was the motorial insolved in a cresh or do	radinael07	Yes No	
	or in Shipmont	If yes, provide the following information:	Estimated speed imphit	Weather conditions	
Number Falled Numb	er Fallod:		Vehicle reacture?	Diver Dive	
28. Provide packaging construction and test information, as appropriate:			Vehico lott roadwan/track?		
Non-facturer Non-	betura Dote:				
	out Duto:	PART V - AIR INCIDENT INFORM	ATION (please refer to 3 175.	31 to report a discrepancy	for air shipments!
Material of Construction If fire Car, CTMR,		26. Was the shipment on a passenger aircraft		O Yes O No	
Design Pressure:		If yes, was it tendered as corpo, or as pass	enger baggage?		
Shell Thickness		Corpo	Passanger boggage		
Service Pressure If Cyberley		28. Where did the incident occur (if unknown,	check the appropriate box for the	location where the incident e	vas discoveracti?
If values or device tailes.		Air sawler corps locitly	D Sort seriler	Baggage are	-
Typer Monufacturer	Model	By surface to/hom sixport	During tight	During load	feorielognicologi
(Ppresent and legible) 29. Ethe methodism is for Stationarity: Metarials, correcteds the Industrial	(if present and legitive	40. What phase(c) had the shipment airandy a	indurgone prior to the insktant? (0	hock all that apply)	
		Bhipment had not been transported	Transported by air climat	light) 🔲 Transport by	y air isubsequent flights)
Packaging Catagory 🔲 Type A 🔄 Type B 🔲 Ty		bittel transport by highway to cargo fa	citiy 🛛 frankler at solt centers)	argo facility	
Packaging Certification 🛛 Soft Contified 🔅 U.S. Continuation		Town DOT E 5800 1 (01.2014)		Repres	or force of this form in narmal
Nuclideau Present Transport ind		1045 (V/11 0040 1 (01-2004)	Page 3	Reprod	Know at this solar is permit
Activity: Critical Solution	Induc				
Paren DOT F 8800.1 (01-2084) Pare 2	Reproduction of this turn is complicat				Conference

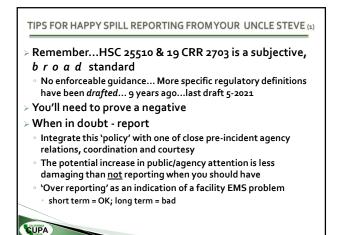




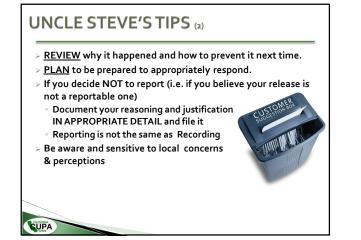


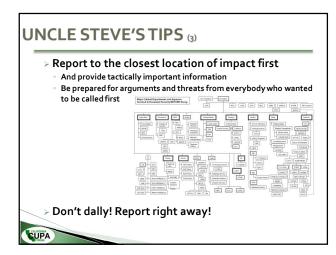












UNCLE STEVE'S TIPS (4)

- > Assume written follow-up reports are required
- > Be aware of immediate post-reporting requirements
- > Address legal & technical issues NOW
- e.g. determining 'significance'; property owner vs. operator vs. on-site contractor; RQ % and volumes in commercial products and equipment; current hazmat inventory; identify regulated activities (USTs, transformers, loading/unloading procedures, etc.)
- > Source reduce to lower your volumes to < RQs</p>
- > Emphasize and practice *prevention*

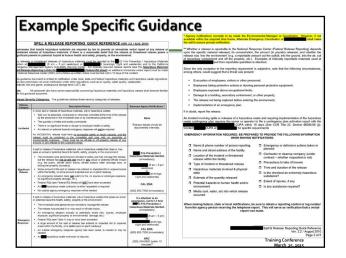
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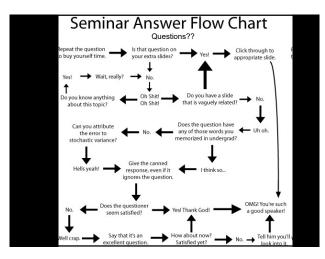


Hazardous Materials Spill/Release	Sulfuric Acid (50%)	130	reportable due to corrosivity and/or toxicity	
Reporting Limits for	Sulfuric Acid (92-98%)	65	hazards.	
Ver. 2.0 / August 2010	Chem-T			
see. 201 August 2010	Chem Treat BL-124	250	All (except small	
	Chem Treat BL-153 (Aqueous Ammonia 19%)	133	incidental workplace spills) likely reportable due to corrosivity and/or	
ASIC REQUIREMENTS:	Chem Treat P8280L (Polymer)	200	toxicity hazards.	
Spills or releases that enter 'the environment' are nearly always reportable to state and	Chem Treat BL-1260	N/A: No federal RQ		
local agencies; and are likely (but not always) reportable to federal agencies. The environment' means dirt or other unpaved or uncontained areas, storm drains,	Chem Treat BL-1794	N/A: No federal RQ		
cracks or fissures in contained areas, evaporation into the air, or any area off plant property. Roadways within the plant boundaries are also considered the environment.	Chem Treat CL-240	N/A: No federal RQ	Most (except small or	
 Spils or releases that enter the environment are federally reportable only if the amount entering the environment exceeds the 'reportable quantity' for the specific material. 	Chem Treat CL-1493	N/A: No federal RQ	contained workplace	
 Typically, spills contained within secondary containment devices or structures are 	Chem Treat CL-2150	N/A: No federal RQ	spills) likely reportable due to toxicity, oxidizing	
not federally reportable as long as they are not escaping or leaking/traveling through the containment into the subsurface or onto the surface outside	Chem Treat CL-2871	N/A: No federal RQ	or other hazards. Must	
containment.	Chem Treat CT-708	N/A: No federal RQ	evaluate material's MSDS and spill situation	
State and local reporting is situation-based (not quantity based) and subjective. If an	Chem Treat CT-9004	N/A: No federal RQ	maska and split situation	
actual or threatened spill or release poses a substantial hazard to health, safety, property or the environment - it is reportable to state and local apencies.	Chem Treat P-817E	N/A: No federal RQ	-	
 This oriteria applies even if the split has not entered the environment' it is a stricter standard than federal reporting oriteria. 	Chem Treat P-893L (Polymer)	N/A: No federal RQ	-	
 Personnel must guickly evaluate the potential hazards of each situation to determine if it 	Compressed Gases & Aerosols			
poses a threat to health, safety, property or the environment. If a release into secondary containment must be cleaned up or removed by personnel	Acetylene	N/A: No federal RQ		
wearing personal protective equipment (such as a splash suit or a respirator), or if a	Argon	N/A: No federal RQ	If leaking or venting in an open area (e.g. outdoors	
clean up contractor is required – it is most likely reportable to state and local agencies. If a spill or release requires that personnel evacuate the general area – it is most likely.	Carbon Dioxide	N/A: No federal RQ	- likely not reportable.	
reportable to state and local agencies.	Oxygen	N/A: No federal RQ	If leaking or venting	
C Reporting spills and releases to regulatory agencies (federal, state, or local) is different	Nitrogen (gas)	N/A: No federal RQ	indoors - likely reportable if fire hazard	
than reporting emergencies & requesting emergency response assistance by calling 911: Reporting spills and releases as an emergency situation (via 911) must always be	Propane	N/A: No federal RQ	or health hazard (e.g.	
followed by state and local agency reporting (and may require federal reporting - depending upon the material and quarkity). Solis and releases recordsible to federal, state and local agencies are not always	Non-Flammable Gas (Nitric Oxide & Nitrogen Moture)	N/A: No federal RQ	room must be evacuated).	
considered emergencies requiring a 911 notification or requests for outside response	Hydrogen (gas)	N/A: No federal RQ	Catastrophic cylinder	
assistance, however. Spills and releases that are federally reportable are always reportable to state and local	Non-Flammable Gas Mixture (Nitric Oxide, Carbon Monoxide & Nitrogen Mixture)	N/A: No federal RQ	ruptures or valve stem cracking are likely	
agencies, too.	Waste – Aerosol Cans	N/A: No federal RQ	reportable.	
Federal, tatle and local reporting must usually be accomplished 'immediately' (with 10- 19 minutes, max) upon knowledge that a spill or release occurred.				
CUCA		Hazardous Materialis Report	eg Limits for Ver. 2:0 / August 20 Page 4 of	





Spill & Release Reporting 2025 CUPA Conference









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California Hazardous Materials Spill / Release Notification Guidance

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To Report all significant releases or threatened releases of hazardous materials:

First Call:

9-1-1

(or local emergency response agency)

Then Call:

Cal OES State Warning Center (800) 852 - 7550 or (916) 845 - 8911

February 2014

Gavin Newsom, Governor Mark S. Ghilarducci, Director Revised by: Trevor Anderson, Bill Potter & Jon Kolman Layout by: Jon Kolman

February 2014

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This guidance summarizes pertinent emergency notification requirements. For precise legal requirements, review specific laws and regulations. This guidance applies to all significant releases of hazardous materials. Refer to the Safe Drinking Water Act of 1986, better known as Proposition 65, and §9030 of the California Labor Code for additional reporting requirements.

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SPILL OR RELEASE NOTIFICATION

Q: What are the emergency notification requirements in case of a spill or release of hazardous materials?

A: All significant releases or threatened releases of a hazardous material, including oil and radioactive materials, require emergency notification to government agencies. The law specifies:

- Who must notify
- What information is needed
- Which government agencies must be notified
- When must government agencies be notified
- Release quantity or basis for the report

WHO MUST NOTIFY

Q: Who is obligated to notify?

A: Requirements for immediate notification of all significant spills or threatened releases cover:

- Owners
- Operators
- Licensees

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- Persons in Charge
- Employers

Notification is required regarding significant releases from:

- Facilities
- Vehicles
- Vessels
- Pipelines
- Railroads

State law: Handlers, any employees, authorized representatives, agent or designees of handlers shall, upon discovery, immediately report any release or threatened release of hazardous materials (Health and Safety Code §25510).

Federal law: Notification to the National Response Center is required for all releases that equal or exceed federal reporting quantities:

- (EPCRA) Owners and Operators to report, and
- (CERCLA) Person in Charge to report

WHEN TO NOTIFY

Q: When must emergency notification be made? A: All significant spills or threatened releases of hazardous materials, including oil and radioactive materials, **must be immediately** reported. Notification shall be made by telephone.

Also, written Follow-Up Reports (Section 304) are required within **7 days** if the release equals or exceeds the Federal Reportable Quantities. (see web site for more information)

WHAT INFORMATION

Q: What information is required?

A: State notification requirements for a spill or threatened release include (as a minimum):

Identity of caller

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- Exact location, date and time of spill, release or threatened release
- Location of threatened or involved waterway or stormdrains
- Substance, quantity involved, and isotope if necessary
- Chemical name (if known, it should be reported if the chemical is extremely hazardous)
- Description of what happened

Federal notification required additional information for spills (CERCLA chemicals) that exceed federal reporting requirements, which includes:

- Medium or media impacted by the release
- Time and duration of the release
- Proper precautions to take
- Known or anticipated health risks
- Name and phone number for more information



WHICH AGENCIES

Q: Who must be notified?A: Notification must be given to the following agencies:

- The Local Emergency Response Agency 9-1-1 or the local Fire Department
- The Local Unified Program Agency (UPA), if different from local fire.

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Note: The UPA may designate a call to the 9-1-1 emergency number as meeting the requirement for notifying the UPA.

Phone:_

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enter local number

And

 The California Governor's Office of Emergency Services, California State Warning Center: Phone (800) 852-7550 or (916) 845-8911

And, if appropriate:

 The California Highway Patrol: Phone: 9-1-1

(The California Highway Patrol must be notified for spills occuring on highways in the State of California. (CVC 23112.5))

In Addition, as necessary, one or more of the following:

National Response Center

If the spill equals or exceeds CERCLA Federal Reportable Quantities, Phone: (800) 424-8802

United States Coast Guard

Waterway Spill / Release

Sectors:

San Francisco: (415) 399-3547

Los Angeles/Long Beach: (310) 521-3805

San Diego: (619) 278-7033

California Occupational Safety and Health Administration (Cal/OSHA)

For serious injuries or harmful exposures to workers, contact the local Cal/OSHA District Office

California Department of Health Services, Radiological Health Branch

All radiological incidents, contact the California State Warning Center

Department of Toxic Substances Control (DTSC)

Hazardous waste tank system releases, and secondary containment containment releases, contact the appropriate DTSC Regional Office (\blacklozenge)

Department of Conservation

Division of Oil, Gas, and Geothermal Resources (DOG GR) Release of Oil and Gas at a Drilling and Production Facility, contact the appropriate DOGGR Office

Public Utilities

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Natural Gas Pipeline Releases, contact the Public Utilities Commission (PUC)

Department of Fish and Wildlife, Office of Spill Prevention and Response (DFW)

Waterway Spill/Release, contact the appropriate DFW Office or the California State Warning Center

Regional Water Quality Control Board (RWQCB)

Waterway Spill/Release, contact the appropriate RWQCB Office

Notification must also be made to the California Governor's Office of Emergency Services, California State Warning Center for the following:

- Discharges or threatened discharges of oil in marine waters
- Any spill or other release of one barrel (42 gallons) or more of petroleum products at a tank facility
- Discharges of any hazardous substances or sewage, into or on any waters of the state
- Discharges that may threaten or impact water quality
- Any found or lost radioactive materials
- Discharges of oil or petroleum products, into or on any waters of the state
- Hazardous Liquid Pipeline releases and every rupture, explosion or fire involving a pipeline

WRITTEN REPORTS

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Q: When are written reports required?

A: Different laws have different time requirements and criteria for submitting written reports. After a spill or release of hazardous materials, including oil and radioactive materials, immediate verbal emergency notification should be followed up as soon as possible with a Written Follow-Up Report, if required, to the following agencies:

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1) California Governor's Office of Emergency Services Section 304 Follow Up Report.

2) The responsible regulating agency such as:

- California Department of Health Services, Radiological Health Branch, Radiological Incident Reporting.
- Department of Toxic Substances Control, Facility Incident or Tank System Release Report.
- Cal/OSHA, serious injury or harmful exposure to workers.

3) U.S. DOT and DOE, transportation-related incidents.

PENALTIES

Federal and state laws provide for administrative penalties of up to \$25,000 per day for each violation of emergency notification requirements. Criminal penalties may also apply.

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STATUTES

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Q: What statutory provisions require emergency notification? **A:** Many statutes require emergency notification of a hazard-ous chemical release, including:

- Health and Safety Code §25270.8, 25510
- Vehicle Code §23112.5
- Public Utilities Code §7673 (General Orders #22-B, 161)
- Government Code §51018, 8670.25.5 (a)
- Water Code §13271, 13272
- California Labor Code §6409.1 (b)
- Title 42, U.S. Code §9603, 11004

Q: What are the statutory provisions for written Follow-Up Reports (Section 304)?

A: Written reports are required by several statutes, including:

- Health and Safety Code §25503 (c) (9)
- California Labor Code §6409.1 (a)
- Water Code §13260, 13267
- Title 42, U.S. Code §11004
- Government Code §51018

REGULATIONS

In addition to statutes, several agencies have notification or reporting regulations:

- Title 8, CCR, §342
- Title 13, CCR, §1166
- Title 14, CCR, §1722 (h)
- Title 17, CCR, §30295
- Title 19, CCR, §2703, 2705
- Title 22, CCR, §66265.56 (j), 66265.196 (e)
- Title 23, CCR, §2230, 2250, 2251, 2260
- Title 40, CFR, §263 esp. Section §263.30
- Title 49, CFR, §171.16

WEBSITES

State Regulations http://www.oal.ca.gov

State Statutes http://leginfo.legislature.ca.gov

Federal Regulations http://www.gpo.gov/fdsys/

Federal Reportable Quantities

http://www.epa.gov/superfund/policy/release/rq/index.htm

See California Labor Code §9030 and the Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65) for other reporting requirements.

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DEFINITIONS

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Q: What is a "Hazardous Material"?

A: "Any material that, because of its quantity, concentration, or physical or chemical characteristics, poses a significant present or threatened hazard to human health and safety or to the environment, if released into the workplace or the environment...." (Health and Safety Code, \$25501 (m))

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Q: What is a release?

A: "Any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment, unless permitted or authorized by a regulatory agency".

(Health and Safety Code, §25501 (q) and CERCLA §101 (22))

Q: What is a threatened release?

A: A threatened release is a condition creating a substantial probability of harm that requires immediate action to prevent, reduce, or mitigate damages to persons, property, or the environment. (Health and Safety Code §25501 (u))

DEFINITIONS...cont

Q: What hazardous material release requires notification? **A:** All significant spills, releases, or threatened releases of hazardous materials **must be immediately** reported.

In addition, all releases that result in injuries, or workers harmfully exposed, **must be immediately** reported to Cal/OSHA (CA Labor Code §6409.1 (b)). Notification covers significant releases or threatened releases relating to all of the following:

"Hazardous Substances"

As listed in 40 CFR §302.4; Clean Water Act §307, §311; CERCLA §102; RCRA §3001; Clean Air Act §112; Toxic Substance Control Act §7, and as defined by California Health and Safety Code §25501 (n).

"Extremely Hazardous Substances" As required by Chapter 6.95 Health and Safety Code, EPCRA §302

"Radioactive Materials" As required by Title 17 §30100

Illegal releases of hazardous waste

Employee exposures resulting in injuries As required by California Labor Code §6409.1 (b)

"Sewage"

As required by Title 23 CCR §2250 (a) (Reportable quantity is 1,000 gallons or more for municipal and private utility waste water treatment plants).

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SEWAGE RELEASES

State Law requires that an unauthorized discharge of sewage into or onto state waters must be reported to the Cal OES Warning Center. The Reportable Quantity for sewage spills is 1000 gallons or more, as established in regulation (Title 23, CCR, §2250 (a)).

Please note that the Regional Water Quality Control Boards and Local Health Departments may have additional reporting requirements - Please contact these offices to determine what requirements may pertain to you.

PETROLEUM (OIL) DISCHARGES

If a release of oil in any way causes harm or threatens to cause harm to public health and safety, the environment, or property, immediate notification must be made to the Cal OES Warning Center.

State Law requires that **ANY** discharge or threatened discharge of oil into **STATE WATERS** must be reported to Cal OES. (California Government Code (GC) §8670.25.5; California Water Code (WC) §13272, California State Oil Spill Contingency Plan). ()

If the release of oil is on **LAND** and is not discharged or threatening to discharge into State Waters; and (a) does not cause harm or threaten to cause harm to the public health and safety, the environment, or property; **AND** (b) is **under** 42 gallons, then no notification to the Cal OES Warning Center is required.

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INCIDENT/RELEASE ASSESSMENT FORM

Handlers of hazardous materials are required to report releases. The following is a tool to be used for assessing if a release is potentially reportable as required by Chapter 6.95 of the California Health and Safety Code. This assessment tool does not replace good judgement, Chapter 6.95, or other state or federal release reporting requirements. **If in doubt, report the release. If an emergency, call 9-1-1.**

<u>Questions for Incident Assessment</u> 1. Was anyone killed or injured, or did they require medical care or admitted to a hospital for observation?	Yes	No
2. Did anyone, other than employees in the immediate area of the release, evacuate?		
3. Did the release cause off-site damage to public or private property?		
4. Is the release greater than or equal to a reportable quantity (RQ)	?	
5. Was there an uncontrolled or unpermitted release to the air?		
6. Did an uncontrolled or unpermitted release escape secondary containment, or extend into any sewers, storm water convey- ance systems, utility vaults and conduits, wetlands, waterways, public roads, or off-site?		
7. Will control, containment, decontamination, and/or clean up require the assistance of federal, state, county, or municipal response elements?		
8. Did the release or threatened release involve an unknown material or contain an unknown hazardous constituent?		
9. Is the incident a threatened release? (a condition creating a substantial probability of harm that requires immediate action to prevent, reduce, or mitigate damages to persons, property, or the environment.)		
10. Is there an increased potential for secondary effects including fire, explosion, line rupture, equipment failure, or other outcomes that may endanger or cause exposure to employees, the general public, or the environment?		

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If the answer is **YES** to *any* of the above questions - report the release to the California Governor's Office of Emergency Services Warning Center at (800) 852-7550 or (916) 845-8911, and to your local UPA. Note: Other state and federal agencies may require notification depending on the circumstances.

If in doubt, report the release!

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EMERGENCY NOTIFICATION SUMMARY

Telephone Calls are Required For All Significant Releases of Hazardous Materials.

At a <u>MINIMUM</u>, the Spiller should call: 9-1-1 or the Local Emergency Response Agency (e.g. Fire Department) <u>AND/OR</u> Local Unified Program Agency <u>AND</u>

The California Governor's Office of Emergency Services, California State Warning Center (800) 852-7550 or (916) 845-8911

In addition to 9-1-1 and Cal OES, the following apply under varying circumstances:

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Spill Type/Location/Injuries	Who to Call
Releases that equal or exceed Feder- al Reportable Quantities (CERCLA)	Call the National Response Center (NRC)
All releases on-highway	Call California Highway Patrol (CHP)
All hazardous waste tank releases	Call Department of Toxic Substanc- es Control Regional Office (DTSC)
All serious worker injuries or harm- ful exposures	Call Cal/OSHA District Office
All oil spills at drilling and produc- tion fixed facilities	Call Department of Conservation, Division of Oil, Gas, and Geother- mal Resources (DOGGR)
All spills with a potential to impact water quality	Call Cal OES
All potential or actual railroad releases (California definition of hazardous materials)	Call the Local Emergency Response Agency and the Public Utilities Commission (PUC)
All Hazardous Liquid Pipelines	Call local fire department (Hazard- ous Liquid Pipeline Safety is State Fire Marshal jurisdiction)
All Natural Gas Pipelines	Call Public Utilities Commission (PUC)
All incidents involving Radioactive Material	Call California Department of Public Health (CDPH), Radiological Preparedness Branch

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IMPORTANT PHONE NUMBERS

Space has been provided below to allow you to enter important phone numbers for easy reference.

Agency Name	Phone Number
California State Warning Center (Cal OES)	(800) 852-7550 or (916) 845-8911
National Response Center	(800) 424-8802
United States Coast Guard San Francisco Sector: Los Angeles/Long Beach Sector: San Diego Sector:	(415) 399-3547 (310) 521-3805 (619) 278-7033
Unified Program Agency (UPA) (Local #)	
California Occupational Safety and Health Administration (Cal/OSHA) (Local #)	
Department of Toxic Substances and Control (DTSC) (Local #)	
California Department of Health Services, Radiological Health Branch (Local #)	
Department of Conservation	
California Public Utilities Com- mission (PUC)	(800) 649-7570
Department of Fish and Wildlife, Office of Spill Prevention and Re- sponse (OSPR) (Local #)	
Regional Water Quality Control Board (RWQCB) (Local #)	

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ACRONYMS

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Cal EPA - California Environmental Protection Agency Cal OES - California Governor's Office of Emergency Services Cal/OSHA - California Occupational Safety and Health Administration CCR - California Code of Regulations CDPH - California Department of Public Health CERCLA - Comprehensive Environmental Response, Compensation, and Liability Act (aka Superfund) CFR - Code of Federal Regulations **CHP** - California Highway Patrol DFW - Department of Fish and Wildlife (formerly Department of Fish and Game) DOGGR - California Division of Oil, Gas, and Geothermal Resources DTSC - Department of Toxic Substances Control U.S. EPA - U.S. Environmental Protection Agency EPCRA - Emergency Planning and Community Right-to-Know Act (SARA Title III) GC - California Government Code HSC - Health and Safety Code **LEPC** - Local Emergency Planning Committee NRC - National Response Center **OEHHA** - Office of Environmental Health Hazard Assessment **OSFM** - Office of the State Fire Marshal **OSPR** - Office of Spill Prevention and Response PUC - Public Utilities Commission RCRA - Resource Conservation and Recovery Act SERC - State Emergency Response Commission **UPA** - Unified Program Agency USCG - Unitied States Coast Guard U.S. DOT - U.S. Department of Transportation WC - California Water Code

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CONTRIBUTORS

This guidance was developed with input from the following agencies:

California Governor's Office of Emergency Services (Cal OES) Office of the State Fire Marshal (OSFM)

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California Highway Patrol (CHP)

California Environmental Protection Agency (Cal EPA)

- Department of Toxic Substances Control (DTSC)
- State Water Resources Control Board (SWRCB)
- Air Resources Board (ARB)
- Department of Pesticide Regulation (DPR)
- Department of Resources, Recycling, and Recovery (Cal Recycle)
- Office of Environmental Health Hazard Assessment (OEHHA)

Department of Fish and Wildlife (DFW)

• Office of Spill Prevention and Response (OSPR)

Department of Food and Agriculture (DFA)

Department of Public Health (CDPH)

Department of Industrial Relations

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California Occupational Safety and Health Administration (Cal/OSHA)

Department of Transportation (CalTrans)

U.S. Environmental Protection Agency, (U.S. EPA) Region IX Department of Conservation, Division of Oil, Gas, and Geothermal Resources (DOGGR)

Department of Water Resources (DWR)

San Diego County Department of Environmental Health State Lands Commission (SLC)

This matrix summarizes pertinent emergency notification requirements and may not be all inclusive. For precise legal requirements, review specific laws and regulations.

		OIL SPIL	.LS		
TYPES OF	AMOUNT	W но	То ₩ном	WHEN	LEGAL
RELEASES		REPORTS?			AUTHORITY
(Federal) Navigable Waters*	Any Amount "Harmful quantity"***	Any person in charge of a vessel or facility (offshore or onshore)	NRC (800) 424-8802 or (202) 267-2675	Immediately, when it can be done safely	Federal Water Pollution Control Act (FWPCA) §311 33 CFR 153.203 40 CFR 110.6
(State of California) Marine Waters*	Any amount	Any party responsible for the discharge/threatened discharge;	Cal OES (800) 852-7550	Immediately, but not later than 15 minutes after discovery of the	California Government Code CGC 8670.25.5; 8670.26
		Responding local or state agency	NRC	spill or threatened release	California State Oil Spill Contingency Plan
					FWPCA §311 33 CFR 153.203 40 CFR 302.6
(State of California) State Waters*	Any amount of oil or petroleum product	Any person	Cal OES or RWQCB	Immediately upon knowledge of a release.	California Water Code CWC 13272 (a) CGC 8670.25.5; 8670.26
					California State Oil Spill Contingency Plan
Oil Discharges to Land (Including Onshore drilling, exploration,	≥ 1 barrel (42 gallons)	Facility owner or operator	Cal OES	Immediately upon knowledge of a release.	Public Resources Code (PRC) 3233
or production operation)	5 barrels or more uncontained in certain San Joaquin Valley oil fields - if no threat				San Joaquin Valley Field Rule (August 1998)
	to state waters; 10 barrels or more contained in certain				CWC 13272 (f)
	San Joaquin Valley oil fields if identified in spill contingency plan - if no threat to state waters.				California State Oi Spill Contingency Plan
Aboveground Storage Tanks (ASTs)	≥ 1 barrel (42 gallons)	Facility owner or operator of a tank facility	Cal OES, CUPA, and/or 911	Immediately upon knowledge of a release.	HSC 25270.8



HAZARDOUS MATERIALS INCIDENTS (may include oil & radioactive materials)						
Types of Releases Amount Who To Whom When Legal Authority						
CERCLA HS Release	<u>></u> RQ	Person in charge of a facility	NRC	Immediately upon knowledge of a release. Written report to	CERCLA §103 (a) 40 CFR 302.6	
EPCRA EHS Release	<u>≥</u> RQ	Owner/Operator of facility	NRC SERC and LEPC CUPA/FD (In CA)	follow. Immediately upon knowledge of a release. Written report to follow.	EPCRA §304 40 CFR 355	
Release or Threatened Release (except transporting on highway)	If there is a reasonable belief that the release poses a significant hazard to human health & safety, property, or environment.**	Handler	Cal OES, CUPA, and/or 911	Immediately upon knowledge of a release.	HSC 25510	
Illegal Discharges or Threatened Discharges of Hazardous Waste	Any amount that is observed or has knowledge of likely to cause injury to public health and safety.	Designated Government Employee	Local Health Officer or local Board of Supervisors	Within 72 hours	HSC 25180.7(b)	
Highways	Any transportation release.	Any person who causes the spill.	CHP (who then notifies Cal OES)	Immediately upon knowledge of a release.	California Vehicle Code (CVC) 23112.5	
Railroads	Release/threatened release that may harm person, property, or environment.**	Railroads regulated by the State PUC & FRA	Appropriate emergency response agency and Cal OES	Immediately upon knowledge of a release.	PUC General Order No. 161, Rule #3, 8-7-91	
Hazardous Waste Discharge Transporters	Any spill in CA <u>Federal notification</u> : A situation carrier	Transporter who discharged waste	СНР	Immediately upon knowledge of a release.	CVC 23112.5; 2453	
	deems appropriate; person hospitalized or killed; public evacuation ≥ 1hr; operational flight pattern or route of aircraft is altered; major transp. artery or facility closed ≥ 1 hr; infectious or radioactive materials involved; marine pollutant > 119 gals		NRC	As soon as practical, but no later than 12 hours after accident occurs Written Report: to DTSC and DOT within 30 days.	22 CCR 66263.15 22 CCR 66263.30 49 CFR 171.15 49 CFR 171.16	



HAZARDOUS MATERIALS INCIDENTS (CONTINUED) (may include oil & radioactive materials)						
Types of Releases Amount Who To Whom When Reports? Au						
Pipelines	Every rupture, explosion or fire <u>></u> 5 barrels	Pipeline operator	Fire Dept Cal OES	Immediately Written report: to State Fire Marshal within 30 days	CGC 51018(c)	
ASTs	Any release or threatened release	Facility owner or operator	Cal OES, CUPA	Immediately upon knowledge of a release.	HSC 25510	
Underground Storage Tanks (USTs)	Any release, if it poses significant hazard	Facility owner or operator	Cal OES, CUPA	Immediately upon knowledge of a release.	HSC 25510	
(0013)	Into secondary containment – no fire or explosion hazard and no deterioration	Facility owner or operator	Cal OES, CUPA	Do not have to report BUT do need to record on the <i>Operator's</i> <i>Monitoring Report.</i>	HSC 25294	
	Escapes from secondary containment; or from a primary containment if no secondary containment; or if there's a fire or explosion hazard or deterioration	Facility owner or operator	Cal OES, CUPA	Within 24 hours after the release has been detected Full written report within 5 working days	HSC 25295 HSC 25510	
Releases beyond TSD Facility Boundary	A harmful quantity that could threaten human health or environment.	Facility owner or operator; TSDF Emergency Coordinator	Cal OES NRC	Immediately upon knowledge of a release.	CERCLA §103 (b) 22 CCR 66264.56(d) HSC 25507	
Releases within TSD Facility Boundary	Any release that poses a significant hazard.	Owner/Operator of facility	Cal OES, CUPA	Immediately upon knowledge of a release.	HSC 25510	
, , , , , , , , , , , , , , , , , , ,	Imminent or actual emergency situation that could threaten human health or environment.	TSDF Emergency Coordinator (designated in the Contingency Plan).	Local ER agencies	Written report: to DTSC within 15 days.	22 CCR 66264.51 22 CCR 66264.52 22 CCR 66264.56	



AIR INCIDENTS					
TYPES OF Releases	Amount	Wно Reports?	То Шном	WHEN	LEGAL AUTHORITY
Stationary Sources	Any release that poses a significant hazard.	Operator of the source	Cal OES Air Pollution Control District's	Immediately upon knowledge of a release.	HSC 25510
	Exceeds emission standards		(APCD) or Air Quality Management District's (AQMD)	Within 96 hours	HSC 42706
Proximity to Schools	A release within ½ mile of a school.	Emergency rescue personnel	Superintendent of affected school district	Immediately upon knowledge of a release.	HSC 25510.3
	A threat of an air contaminant within 1000 feet of a school.	Air Pollution Control Officer	CUPA, Local Fire Dept	Within 24 hours	HSC 42301.7
		SEWAGE S	PILLS		
Sewage to Waters and	1000 Gallons unauthorized discharge into State waters. *	Any person	Cal OES	Immediately upon knowledge of a release.	23 CCR 2250 (a)
Other Sewage and Hazardous Substances	Any hazardous substance and sewage that needs to	hazardous substance			HSC 5411
	be reported. If not in compliance with the Waste Discharge Requirements CWC 13271(b) **				CWC 13271 (a)



* <u>NOTE</u>: The terms navigable waters, state waters, and marine waters are used according to the applicable laws & regulations. Navigable waters could also include state waters and marine waters; State waters could include navigable and marine waters; and marine waters could include navigable and state waters.

** <u>Note</u>: Even if the quantities or situations that are outlined above have not been met, and you still believe that the release poses a significant hazard to human health & safety, or the environment -- then report it to Cal OES Warning Center.

*** **<u>NOTE</u>:** "Harmful quantity" is any quantity of discharged oil that violates state water quality standards, causes a film or sheen on the water's surface, or leaves sludge or emulsion beneath the surface.

Finally, it should be noted that intentionally false or misleading reports are a crime and legal matters may be enforced. (PC §148.3; HSC §25515; GC §8670.64)



Federal Contact Numbers		
National Response Center (NRC)*	(800) 424-8802 or (202) 267-2675	
United States Environmental Protection Agency (USEPA), Regional Response Center	(800) 321-7349 or (415) 947-8000 (General number)	
http://www.epa.gov/osweroe1/content/reporting/index.htm	(415) 947-4400 <i>(Spill Phone)</i>	
	(800) 424-9346 (SARA Title III Hotline)	
	(800) 300-2193 (Region IX Duty Officer)	
Occupational Safety & Health Administration (OSHA)	(800) 321-OSHA	
	(415) 625-2547 (main public number – Region IX)	
United States Coast Guard (USCG) Captain of the Port/Federal On-Scene Coordinator	(310) 521-3805 (Sector Los Angeles/Long Beach)	
(FOSC)	(619) 278-7033 (Sector San Diego)	
	(415) 399-3547 (Sector San Francisco)	
United States Department of Transportation (USDOT)	Contact -via- National Response Center (NRC)	

*<u>Note</u>: One call to the NRC fulfills the requirement to report releases of hazardous substances under CERCLA and several other regulatory programs, including those under CWA § 311, RCRA, and the USDOT's Hazardous Materials Transportation Act (HMTA). Anybody who discovers a hazardous substance release or oil spill is encouraged to contact the federal government, regardless of whether they are the responsible party.

State Contact Numbers		
California Governor's Office of Emergency Services (Cal OES) Warning Center	(800) 852-7550 or (916) 845-8911	
California Highway Patrol (CHP)	911	
State Fire Marshall (SFM)	(916) 323-7390 (Emergencies only)	
CA Dept. of Conservation, Division of Oil, Gas & Geothermal Resources (DOGGR)	See attached list (Page 7) San Joaquin Valley Field Rule <u>ftp://ftp.consrv.ca.gov/pub/oil/regulations/field_rule.pdf</u>	



Department of Fish & Wildlife - Office Of Spill Prevention and Response (OSPR) (800) OILS-911 ((800) 645-7911) (916) 445-9338 (Office of Spill Prevention and Response – Sacramento)

Regional Water Quality Control Board (RWQCB)

See attached list (Page 8)

Local Contact Numbers

ALL SPILLS SHOULD FIRST BE REPORTED to 911

CUPA	For up-to-date contacts, refer to the Cal/EPA Unified Program website directory at: <u>www.calepa.ca.gov/CUPA/Directory/default.aspx</u>
Local Sheriff/Police	
Local Fire Department	
Local Health Department	

Department of Cons	servation/Division of Oil, Gas & Ge (DOGGR) - California Regional Offices -	othermal Resources
Region	Location	Contact #
District #1	(Cypress)	(714) 816-6847
District #2	(Ventura)	(805) 654-4761
District #3	(Santa Maria)	(805) 937-7246
District #4	(Bakersfield)	(661) 322-4031
District #5	(Coalinga)	(559) 935-2941
District #6	(Sacramento - Headquarters)	(916) 322-1110



These numbers are included for reference purposes only. The RWQCB is contacted through the local CUPA and/or Cal OES, when these offices determine that it is necessary.

Regional Water Quality Control Boards - California Regional Offices -			
Region	Location	Contact #	
Region 1 – North Coast	(Santa Rosa)	(707) 576-2220	
Region 2 – San Francisco Bay	(Oakland)	(510) 622-2300	
Region 3 – Central Coast	(San Luis Obispo)	(805) 549-3147	
Region 4 – Los Angeles	(Los Angeles)	(213) 576-6600	
Region 5a – Central Valley	(Rancho Cordova)	(916) 464-3291	
Region 5b – Central Valley	(Fresno)	(559) 445-5116	
Region 5c – Central Valley	(Redding)	(530) 224-4845	
Region 6a – Lahontan	(South Lake Tahoe)	(530) 542-5400	
Region 6b – Lahontan	(Victorville)	(760) 241-6583	
Region 7 – Colorado River	(Palm Desert)	(760) 346-7491	
Region 8 – Santa Ana	(Riverside)	(951) 782-4130	
Region 9 – San Diego	(San Diego)	(858) 467-2952	



GOVERNOR'S OFFICE OF EMERGENCY SERVICES

TEXT OF REGULATIONS

CALIFORNIA CODE OF REGULATIONS

Title 19.	Public Safety			
Division 2.	Office of Emergency Services			
Chapter 4.	Hazardous Material Release Reporting, Inventory, And Response Plans			
Article 1. 2620. 2650. 2660.	Definitions Control. <u>Definitions.</u> <u>Person.</u> <u>Pesticide Drift Exposure Incident.</u>			
Article 2. 2630. 2631. 2632.	Reporting Requirements Applicability. Immediate Reporting of a Release or a Threatened Release. Written Reporting of Emergency Releases.			

Article 1. Definitions.

Section 2620. Control. Definitions.

"Control" means any actions necessary to stop, prevent, abate, or mitigate a release or threatened release thereby ensuring the elimination of a condition of substantial probability of harm to human health and safety, property, or the environment.

NOTE: Authority cited: Section 25520, Health and Safety Code. Reference: Sections 25503(b)(5), 25507 and 25520, Health and Safety Code.

For the purposes of this Chapter only:

- (a) "Control" means any actions necessary to stop, prevent, abate, or mitigate a release or threatened release thereby ensuring the elimination of a condition of substantial probability of harm to human health and safety, property, or the environment.
- (b) "Contained release" means a release that is completely contained in a designated secondary containment area and is recovered from or neutralized or otherwise treated in secondary containment within 24 hours of discovery. No release reporting is required for a contained release if there is no significant hazard posed to the people or the environment in the immediate area or in areas in the path of the release, or from byproducts or its effects, such as vapors, fire, over-pressurization, toxic gases or toxic particulates.
- (c) "Facility" means all contiguous land and structures, other appurtenances, and improvements on the land that are defined, pursuant to Health and Safety Code (HSC) Section 25501(m), as a handler of hazardous materials. For purposes of emergency release reporting only, "facility" includes motor vehicles, rolling stock, and aircraft.
- (d) "Immediate" means upon discovery of a release or threatened release of a hazardous material. Notification must be made immediately, unless the notification impedes control of the release or threatened release, or immediate emergency medical measures, pursuant to Section 2631.
- (e) "Incidental release" means a release of a hazardous material that does not pose a significant hazard to health, safety, property, or the environment. Incidental releases are limited in quantity, exposure potential, or toxicity, and may be safely cleaned up or mitigated by properly trained facility personnel or contractors. No release reporting is required for an incidental release if there is no significant hazard posed to the people in the immediate area or in areas in the path of the release, or from byproducts or its effects, such as vapors, fire, overpressurization, toxic gases, or toxic particulates.
- (f) "Office" means the California Governor's Office of Emergency Services (Cal OES).
- (g) "Person" means any employee, authorized representative, agent, or designee of a handler.
- (h) "Pesticide drift exposure incident" means an unintended airborne transport of a pesticide to non-target areas, potentially resulting in exposures that could affect public health and safety and the environment. For the purposes of this Chapter, the term "pesticide" has the same meaning as "pesticide", as defined in the Food and Agricultural Code, Section 12753.
- (i) "Release" is defined in HSC, Section 25501(p). "Release" includes the abandonment or discarding of barrels, containers and other closed receptacles containing any hazardous substances, pollutants or contaminants that may harm people, environment or property, unless permitted or authorized by a regulatory agency. "Release" further includes spills into the workplace that may threaten harm to facility personnel.
- (j) "Release Reporting" means the handler or person shall, upon discovery, immediately report any significant release or threatened release of a hazardous material to the Unified Program Agency

(UPA), and to the Office, unless the release is contained or incidental. The handler or person shall provide all state, city, or county fire or public health or safety personnel or emergency response personnel with access to the area affected by the release.

- (k) "Significant" means a release or spill of hazardous materials that poses an imminent actual or potential hazard to health, safety, property, or the environment.
- (1) "Threatened Release" is defined in HSC, Section 25501(t), and means that a release is imminent. If the threatened release is not contained, stopped, or removed, the threatened release would pose a significant hazard to people in the immediate area or in areas in the path of the threatened release, or from byproducts or its effects, such as vapors, fire, over-pressurization, toxic gases, or toxic particulates.

NOTE: Authority cited: Section 8585, Government Code, Section 25510, Health and Safety Code, Section 12997.7, Food and Agricultural Code. Reference: Sections 25404, 25501 and 25510, Health and Safety Code, Sections 12753 and 12997.7, Food and Agricultural Code.

Section 2650. Person.

"Person" means any employee, authorized representative, agent or designee of a handler.

NOTE: Authority cited: Section 25520, Health and Safety Code. Reference: Sections 25507, 25515 and 25520, Health and Safety Code.

Section 2660. Pesticide Drift Exposure Incident.

"Pesticide drift exposure incident" means an unintended airborne transport of a pesticide to non-target areas, potentially resulting in exposures that could affect public health and safety and the environment. For the purposes of this Chapter, the term "pesticide" has the same meaning as "pesticide", as defined in the Food and Agricultural Code, Section 12753.

NOTE: Authority cited: Section 25503, Health and Safety Code, Section 12997.7, Food and Agricultural Code. Reference: Sections 12753 and 12997.7, Food and Agricultural Code.

Article 2. Reporting Requirements.

Section 2630. Applicability.

The provisions of this subchapter shall not, in any way, preempt more restrictive reporting requirements pursuant to other local, state, or federal ordinances, statutes, or regulations.

Pursuant to Section 23112.5 of the Vehicle Code, reporting of on-highway releases shall be made to the Department of the California Highway Patrol.

NOTE: Authority cited: Section 25520, Health and Safety Code. Section 8585, Government Code. Reference: Section 25520, Health and Safety Code. Section 8585, Government Code

Section 2631. Immediate Reporting of a Release or a Threatened Release.

- (a) A person shall provide an immediate, verbal report of any significant release or threatened release of a hazardous material to the administering agency <u>UPA</u> and the Office of Emergency Services* as soon as:
 - (1) a person has knowledge of the release or threatened release, <u>unless the release is contained or</u> <u>incidental;</u>
 - (2) notification can be provided without impeding immediate control of the release or threatened release;
 - (3) notification can be provided without impeding immediate emergency medical measures.
- (b) The immediate reporting pursuant to subsection (a) of this section shall include, as a minimum:
 - (1) the exact location of the release or threatened release;
 - (2) the name of the person reporting the release or threatened release;
 - (3) the hazardous materials involved in the release or threatened release;
 - (4) an estimate of the quantity of hazardous materials involved; and if known, the potential hazards presented by the hazardous material involved in the release or threatened release;
- (c) The immediate reporting pursuant to subsection (a) of this section shall not be required if there is a reasonable belief that the release or threatened release poses no significant present or potential hazard to human health and safety, property, or the environment.
- (d) Immediate reporting pursuant to subsection (a) of this section shall be made to the Office of Emergency Services, at telephone number (916) 845-8911 or (800) 852-7550, and to the local administering agency UPA. The administering agency UPA may designate a call to the 911 emergency number as meeting the requirement to call the administering agency UPA when agency response is required immediately. The UPA will also maintain at least one nonemergency number, pursuant to HSC Section 25510(d), for release reporting that does not require immediate agency response.
- (e) The notifications in subsection (d) shall constitute compliance with the requirements of subdivision (b) of section 11004 of title 42 of the United States Code (1989) regarding verbal notification of the State Emergency Planning <u>Response</u> Commission and the Local Emergency Planning Committee.

* For additional guidance on notification procedures, consult the State of California Hazardous Material Incident Contingency Plan (HMICP).

NOTE: Authority: <u>Section 8585, Government Code</u>, Sections 25503, 25503.1 and 25520 <u>25510 and</u> <u>25510.1</u>, Health and Safety Code. Reference: Sections 25503(b)(4), 25503.1, 25507, 25518 and 25520 <u>25501 and 25510</u>, Health and Safety Code.

Section 2632. Written Reporting of Emergency Releases.

- (a) If required to submit a written emergency release follow-up notice pursuant to 42 U.S.C. section 11004(c) (1989), or as that section may be subsequently amended, a business shall prepare the written emergency release follow-up notice using the form specified in subsection (c) of this section.
- (b) A written emergency release follow-up notice prepared pursuant to subsection (a) shall be sent to the <u>Chemical State</u> Emergency <u>Planning and</u> Response Commission (<u>CEPRCSERC</u>) at 3650 Schriever Avenue, Mather, CA 95655. This written report shall be sent as soon as practicable following a release, but no later than 30 <u>7</u> days from the date of the release.
- (c) The following reporting form (with instructions), the `Emergency Release Follow-up Notice Reporting Form,' shall be used for filing the written emergency release follow-up notice required by subsection (a) of this section.

EMERGENCY RELEASE FOLLOW - UP NOTICE REPORTING FOI
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Γ	A	BUSINESS NAME FACILITY EMERGENCY CONTACT & PHONE NUMBER () -
	в	INCIDENT MO DAY YR TIME OES (use 24 hr time) OES CONTROL NO.
	С	INCIDENT ADDRESS LOCATION CITY / COMMUNITY COUNTY ZIP
Γ		CHEMICAL OR TRADE NAME (print or type) CAS Number
		CHECK IF CHEMICAL IS LISTED IN 40 CFR 355, APPENDIX A CHECK IF RELEASE REQUIRES NOTIFI - CATION UNDER 42 U.S.C. Section 9603 (a)
		PHYSICAL STATE CONTAINED PHYSICAL STATE RELEASED QUANTITY RELEASED SOLID LIQUID GAS SOLID LIQUID GAS
		ENVIRONMENTAL CONTAMINATION TIME OF RELEASE DURATION OF RELEASE AIR WATER GROUND OTHER DURATION OF RELEASE
Γ		ACTIONS TAKEN
	E	
L		
		KNOWN OR ANTICIPATED HEALTH EFFECTS (Use the comments section for addition information)
	F	CHRONIC OR DELAYED (explain)
		NOTKNOWN (explain)
		ADVICE REGARDING MEDICAL ATTENTION NECESSARY FOR EXPOSED INDIVIDUALS
	G	
Γ		COMMENTS (INDICATE SECTION (A - G) AND ITEM WITH COMMENTS OR ADDITIONAL INFORMATION)
	Н	
	I	CERTIFICATION: I certify under penalty of law that I have personally examined and I am familiar with the information submitted and believe the submitted information is true, accurate, and complete. REPORTING FACILITY REPRESENTATIVE (print or type)
		SIGNATURE OF REPORTING FACILITY REPRESENTATIVE DATE:

EMERGENCY RELEASE FOLLOW-UP NOTICE REPORTING FORM INSTRUCTIONS

(This form may be reproduced, as needed)

GENERAL INFORMATION:

Chapter 6.95 of Division 20 of the California Health and Safety Code requires that written emergency release follow-up notices prepared pursuant to 42 U.S.C. § 11004, be submitted using this reporting form. Non-permitted releases of reportable quantities of Extremely Hazardous Substances (listed in 40 CFR 355, appendix A) or of chemicals that require release reporting under section 103(a) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 [42 U.S.C. § 9603(a)] must be reported on the form, as soon as practicable, but no later than 30 <u>7</u> days, following a release. The written follow-up report is required in addition to the verbal notification.

BASIC INSTRUCTIONS:

- The form, when filled out, reports follow-up information required by 42 U.S.C § 11004. Ensure that all information requested by the form is provided as completely as possible.
- If the incident involves reportable releases of more than one chemical, prepare one report form for each chemical released.
- If the incident involves a series of separate releases of chemical(s) at different times, the releases should be reported on separate reporting forms.

SPECIFIC INSTRUCTIONS:

Block A: Enter the name of the business and the name and phone number of a contact person who can provide detailed facility information concerning the release.

Block B: Enter the date of the incident and the time that verbal notification was made to <u>Cal</u> OES. The <u>Cal</u> OES control number is provided to the caller by <u>Cal</u> OES at the time verbal notification is made. Enter this control number in the space provided.

Block C: Provide information pertaining to the location where the release occurred. Include the street address, the city or community, the county and the zip code.

Block D: Provide information concerning the specific chemical that was released. Include the chemical or trade name and the Chemical Abstract Service (CAS) number. Check all categories that apply. Provide best available information on quantity, time and duration of the release.

Block E: Indicate all actions taken to respond to and contain the release as specified in 42 U.S.C. § 11004(c).

Block F: Check the categories that apply to the health effects that occurred or could result from the release. Provide an explanation or description of the effects in the space provided. Use Block H for additional comments/information if necessary to meet requirements specified in 42 U.S.C. § 11004(c).

Block G: Include information on the type of medical attention required for exposure to the chemical released. Indicate when and how this information was made available to individuals exposed and to medical personnel, if appropriate for the incident, as specified in 42 U.S.C. § 11004(c).

Block H: List any additional pertinent information.

Block I: Print or type the name of the facility representative submitting the report. Include the official signature and the date that the form was prepared.

MAIL THE COMPLETED REPORT TO: <u>ChemicalState</u> Emergency <u>Planning and</u> Response Commission (<u>CEPSE</u>RC) / Local Emergency Planning Committee (LEPC) Attn: Section 304 Reports 3650 Schriever Avenue Mather, CA 95655

NOTE: Authority cited: <u>Section 8585</u>, <u>Government Code</u>, Sections 25503, 25503.1 and 25507.1 <u>25510 and 25510.1</u>, Health and Safety Code. Reference: Sections 25503(b)(4), 25503.1, 25507.1, 25518 and 25520 25510.1, Health and Safety Code.