

# **HAZARDOUS MATERIALS BUSINESS PLAN**

## **OVERVIEW**

### **CHAPTER 6.95-HEALTH AND SAFETY CODE, DIVISION 20, (AB 2185 & AB 2189)**

Hazardous Materials Business Plans contain basic information on the location, type, quantity, and health risks of hazardous materials stored, used, or disposed of in the state. Chapter 6.95 of the Health and Safety Code establishes minimum statewide standards for Hazardous Materials Business Plans (HMBPs).

The Hazardous Materials Division (HMD) of the Department of Environmental Health (DEH) is the local Certified Unified Program Agency (CUPA) responsible for implementing and enforcing the California state hazardous materials laws and regulations. For more information about the Unified Program and CUPAs, please refer to <http://www.calepa.ca.gov/CUPA/>.

The HMD periodically conducts inspections to:

- Ensure compliance with existing laws and regulations concerning HMBP requirements.
- Identify existing safety hazards that could cause or contribute to an accidental spill or release.
- Suggest preventive measures designed to minimize the risk of a spill or release of hazardous materials.

When completely implemented, HMBPs will meet EPCRA Tier II Reporting requirements. The Emergency Planning and Community Right-to-Know Act known as EPCRA was enacted by Congress to help local communities protect public health, safety, and the environment from chemical hazards. See <http://www.epa.gov/oem/content/epcra/index.htm>. Read Subchapter III, Section 11023.

Each business shall prepare an HMBP if that business uses, handles, or stores a hazardous material (including hazardous waste) or an extremely hazardous material in discloseable quantities greater than or equal to the following:

- 500 pounds of a solid substance
- 55 gallons of a liquid
- 200 cubic feet of compressed gas
- A hazardous compressed gas in any amount (highly toxic with a Threshold Limit Value of 10 parts per million or less)
- Extremely hazardous substances in threshold planning quantities

After the initial submission, the business must review and recertify the Hazardous Materials Business Plan every year by submitting a completed Certification Statement (HM-953), available at HMD's web site [http://www.sdcounty.ca.gov/deh/hazmat/hmd\\_forms.html](http://www.sdcounty.ca.gov/deh/hazmat/hmd_forms.html). Only revisions to the inventory, site map, or emergency contacts need to be submitted with the annual Certification Statement. A current copy of the Business Plan must be maintained at the site where the hazardous materials are stored. If any section of the Plan is found to be deficient, it must be amended and submitted to HMD within 30 days. The Plan must also be amended and submitted to the HMD within 30 days for any of the following:

- A 100% or greater increase in quantity of a hazardous material provided in the inventory.
- Any handling of a discloseable quantity of a previously undisclosed hazardous material.
- Deleting a previously disclosed hazardous material.
- Any change in the storage, location or use of hazardous materials, which could affect an emergency response.
- Any change in business name, ownership or address.

## Overview (continued)

The Hazardous Materials Business Plan includes three sections:

- I. Inventory and Site Map
- II. Emergency Response Plan and Owner/Operator Identification
- III. Employee Training

The Plan will also serve to better prepare emergency response personnel for handling emergencies which could occur at your facility. The attached format contains the necessary information for the creation of a useful Plan for your facility. When completed, your Plan will become a valuable tool, aiding you and your employees to manage emergencies at your facility.

The pages you will need to complete and submit to this office are included as Section V. Instructions for completing the forms in Section V are detailed in Section I (Inventory), Section II (Emergency Response Plan), and Section III (Employee Training). If you need additional space you may include properly labeled attachments as necessary.

Keep a copy of the Plan for your records. Submit the originals, as applicable, (Section V), to the County of San Diego Department of Environmental Health, Hazardous Materials Division, P. O. Box 129261, San Diego, CA 92112-9261. For additional information or forms, contact your Area Specialist, visit HMD's Web site at [http://www.sdcounty.ca.gov/deh/hazmat/hmd\\_forms.html](http://www.sdcounty.ca.gov/deh/hazmat/hmd_forms.html), or call the Hazardous Materials Duty Desk at 858-505-6880.

## EMERGENCY CONTINGENCY PLANS

If you generate hazardous wastes in any quantity in the State of California, you are required to prepare an emergency contingency plan. The complexity of the contingency plan will depend on the type and extent of the operations at your particular business site. The forms in this packet meet the requirements of an emergency contingency plan.

## CALIFORNIA ACCIDENTAL RELEASE PREVENTION PROGRAM (CalARP)

On January 31, 1994 the U.S. EPA promulgated a final rule under provisions of the Clean Air Act (CAA) Amendments section 112(r) for the prevention of accidental releases of hazardous substances (i.e., regulated substances). The rule establishes a list of chemicals and threshold quantities that identify facilities subject to subsequent accidental prevention regulations. In October 1996 California passed Senate Bill 1889 (now known as Health & Safety Code, Sections 25531-25534.3). This bill merged in law the federal and state programs for the prevention of accidental releases of regulated toxic and flammable substances.

The incorporation of the federal and state requirements has been designated as the California Accidental Release Prevention Program (CalARP). An owner or operator of a stationary source (non-transportation) with more than a threshold quantity of a regulated substance in a process is required to prepare a risk management program and submit a risk management plan. Regulated substances are toxic chemicals (e.g., chlorine gas and ammonia) and flammable chemicals (e.g., methane and propane) found listed on tables in the regulations at [http://www.oes.ca.gov/Operational/OESHome.nsf/PDF/CalARPreps/\\$file/CalARPreps.pdf](http://www.oes.ca.gov/Operational/OESHome.nsf/PDF/CalARPreps/$file/CalARPreps.pdf) If you are subject to CalARP or need additional information please ask for the CalARP Specialist at 858-505-6880.

## SPILL REPORTING - REPORTING A RELEASE

Release reporting is required by several state and federal laws. If there is a release at your facility, you are responsible for making an accurate report in a timely manner. For more information on what is a reportable release and how to make an accurate report, see Form HM-951 on Section V of this packet.