

**Section 3: Hazardous Materials
and the Hazardous Materials
Business Plan (HMBP)**

Section 3: Hazardous Materials Overview

Purpose of Hazardous Materials Regulations

Hazardous Materials Reportable Thresholds

Hazardous Materials Exemptions

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Record Keeping Requirements

Purpose of Hazardous Materials Regulations

Your Hazardous Materials Business Plan (HMBP) serves to provide critical information to emergency responders and ...


Ensure that facility personnel are familiar with emergency response procedures, including evacuation and coordination with emergency responders in case of spills or releases of hazardous materials

**HMBP is the
facility's
responsibility**

HMBP

- It is the facility's responsibility to ensure that employees are familiar with the contents of the HMBP.
- Be prepared to demonstrate to your inspector that you have access to your HMBP, either digitally or hard copy.

**Hazardous Materials
Business Plan**



HMBP Reporting Thresholds

≥55 gallons of a liquid

≥200 cubic feet of a gas
(some exemptions apply)

≥500 pounds of a solid

Highly toxic
compressed
gases with TLV
less than 10ppm
are reportable

Remember
Hazardous Waste
and Medical
Waste are
reportable in any
amount

Hazardous Materials Business Plans (HMBPs) are reported in CERS

HMBPs must be submitted at least annually. Submit the following at a minimum:

- Facility information
- Hazardous Materials Inventory
- Emergency Response & Employee training plan

CERS Business Home Submittals Facilities Compliance My Business

Home: Dans Farm
Home

Common Tasks

- Start Facility Submittal**
CERS will help walk you through the forms and documents required for your facility(s).
- Add Facility**
If you are new to CERS, or must add new facility(s), the Add Facility pages will ensure you get started correctly!
- People/Users**
You can allow/manage other people in your business who need to view or edit your facility reporting.
- Contact Your Local Regulator(s)**
Find contact information for your facility's local regulator(s).

Facilities Add Facility... Search...

	Facility Name	Address	Last Submittal	CERS ID
Start / Edit Submittal	Dans Farm	260 Hamilton Ave, Palo Alto 94301	10/2/2015	10160774

Refer to HMD's CERS guidance page for more CERS related information:
https://www.sandiegocounty.gov/content/sdc/deh/hazmat/hmd_cers.html

DEFINITION OF A HAZARDOUS MATERIAL

“Hazardous Material” means a material... that because of its quantity, concentration, or physical or chemical characteristics, poses a significant present or potential hazard to human health and safety, or to the environment if released into the workplace or the environment.

A “Hazardous Material” includes the following:

A substance or product for which the manufacturer or producer is required to prepare a material safety data sheet pursuant to the Hazardous Substances Information and Training Act or pursuant to any applicable federal law or regulation

A substance listed as a radioactive material in Appendix B of Part 30 of Title 10 of the Code of Federal Regulations, as maintained and updated by the Nuclear Regulatory Commission.

A substance listed pursuant to Title 49 of the Code of Federal Regulations.

A substance listed in Section 339 of Title 8 of the California Code of Regulations.

A material that is a hazardous waste, as defined by Sections 25115, 25117, and 25316

Hazardous wastes can also be subject to HMBP law...

...when they are stored in quantities greater than or equal to HMBP thresholds



For example... a 55-gallon drum of corrosive waste is subject to HMBP



HMBP Exemption Examples

INERT compressed gases are exempt up to 1,000 cubic feet:

Nitrogen

Argon

Helium

Air

Freon

Xenon



Cryogenic Gases



Convert cryogenic gases to cubic feet to determine if the item is subject to HMBP

In CERS ... Report the item as a liquid with report units gallons

HMBP Exemption Examples

Refrigerant gases in a closed loop system are exempt from reporting up to 1,000 cubic feet



HMBP Exemption Examples

Hydraulic oils in elevator systems are exempt from reporting if the facility does not store greater than 1,320 gallons of petroleum products



HMBP Exemption Examples

Materials classified as hazardous solely as an irritant or sensitizer are exempt from reporting up to 550 gallons or 5,000 pounds

Agar

Non-Toxic Buffer Solution



HMBP Updates

The facility is responsible for updating their HMBP within 30 days of a significant change. These include but are not limited to....

100% or more increase/decrease in capacity for a hazardous material or waste

New hazardous material handled on-site in reportable quantities

Change in emergency contact information

Change in location of hazardous material which triggers change in site map

Does my HMBP need to be updated?



Inventory Updates

- Periodically check the facility's hazardous materials inventory and compare to reported quantities in CERS
- Check with purchasing and receiving for new chemicals stored on-site



Site Map Changes

- Tour the facility to ensure that all hazardous materials and hazardous wastes in reportable quantities are represented accurately on the HMBP site map



Emergency Information Changes

- Ensure your listed emergency contacts in CERS are current

What if there are **NO CHANGES** to your facility's HMBP???



Even if there are NO CHANGES to your facility's HMBP you are still required to resubmit in CERS **ALL ELEMENTS** at least once every twelve months as a certification.

What if your facility's HMBP is **NOT ACCEPTED** in CERS???

A **"NOT ACCEPTED"** CERS submittal may result in a **violation during inspection** if not addressed in a timely matter.

Read and pay careful attention to the comments provided in CERS. Follow directions provided in comments ...



Contact your inspector if you have additional questions or concerns ...



Make sure you resubmit changes that are made until your submittal is **"ACCEPTED"**

Always base your latest CERS submittal on your previously accepted submittal (not from scratch) or everything will be erased.

What hazardous material type do I mark in CERS???

If the item is a waste...

Check off “Waste” if the item is being shipped offsite as a waste

You may add the mixture components of the waste stream if necessary (i.e. waste flammable liquid mixture)

If the item is a material...

Check off “Pure” if material is a pure item (i.e. isopropyl alcohol)

Check off “Mixture” if material is a mixture (i.e. gas/liquid mixtures) and ensure that mixture components are included

CERS Helpful Tips

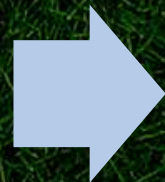
Ensure that your HMBP is updated annually and your facility is reporting all hazardous waste and medical waste **in any amount**

You are not required to report hazardous *materials* (non-waste) below reportable thresholds.

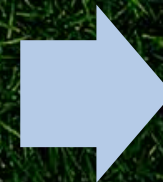
Ensure that your submittal is fully submitted (you will see a confirmation page).

If your HMBP is “NOT ACCEPTED” don’t panic!

Log in to CERS & review the comments provided



Start new submittal and make the requested changes



SUBMIT the edits

You may contact your inspector if you need more assistance or the **HMD CERS help desk staff at (858) 505-6990**

Permit Relocations

If your facility is relocating, you are required to notify HMD within 30 days of beginning operations at your new location

Step 1: Submit CERS Access/I.D. request form

Step 2: Once access has been granted, submit information through CERS for new location

Step 3: Submit closure notification in CERS for previous location



REMINDER!
HMD Permits are non-transferable from one owner to the next, or from one location to another

Permit Closures

If your facility changes owners or locations (including suite numbers) you are required to obtain a new UPFP

Procedures

Step 1:

Log into CERS and select "NO" to all facility information "Business Activities" section questions

Step 2:

Leave a comment to regulator stating the move out date and, if applicable, your new location and starting date

Step 3:

Submit the Facility Information section of CERS with your changes and comments. An inspector will conduct a closure inspection at a future date

HMBP RECORDKEEPING REQUIREMENTS



Electronic copies
are acceptable as
long as they are
readily available to
employees and
during inspections

HMBP ON-SITE?

Ensure that your HMBP is readily accessible to facility personnel at all times through one of the following:

Access to CERS

A hardcopy of the HMBP on-site

Access to an electronic copy of the HMBP



Annual Employee Training Documentation

Employees are required to be trained annually for:



Facilities subject to HMBP



Large quantity hazardous waste generators



Medical waste treatment facilities

Training Records shall be documented electronically or by hard copy and made available:



If subject to HMBP, records maintained for at least 3 years [HSC 25505 (a)(4)]



If your facility is a large quantity HW generator, until closure of the facility and for 3 years after termination of employment for former employees [CCR 66265.16 (e)]



If your facility is a medical waste treatment, records maintained for at least two years [HSC 117938 (b) (1-3)]

What kind of training?

“Training for all new employees and annual training, including refresher courses, for all employees in safety procedures in the event of a release or threatened release of a hazardous material, including, but not limited to, familiarity with the plans and procedures specified in paragraph (3)*. These training programs may take into consideration the position of each employee. This training shall be documented electronically or by hard copy and shall be made available for a minimum of three years.” HSC 25505 (a)(4)

ON ___ / ___ / ___, TRAINING PROVIDED BY: _____
WAS CONDUCTED ON THE FOLLOWING TOPICS:

	TRAINING TOPIC	TRAINING TIME
<input type="checkbox"/>	Procedures for handling hazardous materials, including hazardous wastes.	
<input type="checkbox"/>	Procedures for coordinating with emergency response agencies.	
<input type="checkbox"/>	Use of emergency response equipment and materials under the business control.	
<input type="checkbox"/>	Emergency Response Plan implementation.	

* Paragraph (3) refers to the facility's Emergency Response Plan

Training Frequency?

Employee training requirements are indicated in the consolidated emergency response and training plan template posted in CERS

EMPLOYEE TRAINING FREQUENCY AND RECORDKEEPING TRAINING MUST BE:

- Provided initially for new employees as soon as possible following the date of hire. New employees should not work in an unsupervised position that involves hazardous materials handling and/or hazardous waste management without proper training;
- Provided within six months from the date of hire for new employees at a large quantity generator;
- Ongoing and provided at least annually;
- Amended prior to a change in process or work assignment;
- Given upon modification to the Emergency Response/Contingency Plan.

Large Quantity Generator Training: Large quantity generators (1,000 kg or more) must retain written plan and documentation of employee training which includes:

- A written description of the type and amount of both initial and ongoing training that will be given to persons filling each job position having responsibility for hazardous waste management and/or emergency response.
- The name, job title and job description for each position at the facility related to hazardous waste management.
- Current employee training records must be retained until closure of the facility and former employee training records must be retained for at least three years after termination of employment.

Small Quantity Generator Training: Small quantity generators (less than 1,000 kg) must include basic hazardous waste management and emergency response procedures but a written employee training plan and training records are not required. In order to show that the facility has met the small quantity generator employee training requirement, an employee training plan and training records may be made available.

Hazardous Materials Business Plan Training: Businesses must provide initial and annual employee training that includes the content referenced above. The training may be based on the job position and training records must be made available for a period of at least three years.

CONSOLIDATED EMERGENCY RESPONSE/CONTINGENCY PLAN TEMPLATE

<https://www.sandiegocounty.gov/content/dam/sdc/deh/hmd/pdf/consolidated%20ER%20plan%202017.pdf>



A form developed by CalEPA to combine the:

- Emergency Response Plan (for hazardous materials) and
- Contingency Plan (for hazardous waste generators)



This template can also be used to satisfy:

- HMBP employee training description [HSC 25505 (a)(4)]
- HW employee training description [22 CCR 66262.34 (d)(4), 22 CCR 66265.16]



Template and instructions available on HMD's website, or through CERS

- You are not required to use this template. However, if you choose to use your own form, ensure that all required elements are included.

Common HMBP Violations

VIOLATION: HMBP not re-certified annually



GO TO
California Environmental
Reporting System



Cal/EPA

VIOLATION: Initial/annual training not conducted or no records



Common HMBP Violations

VIOLATION: Inventory not complete or not updated to reflect 100% or more increase



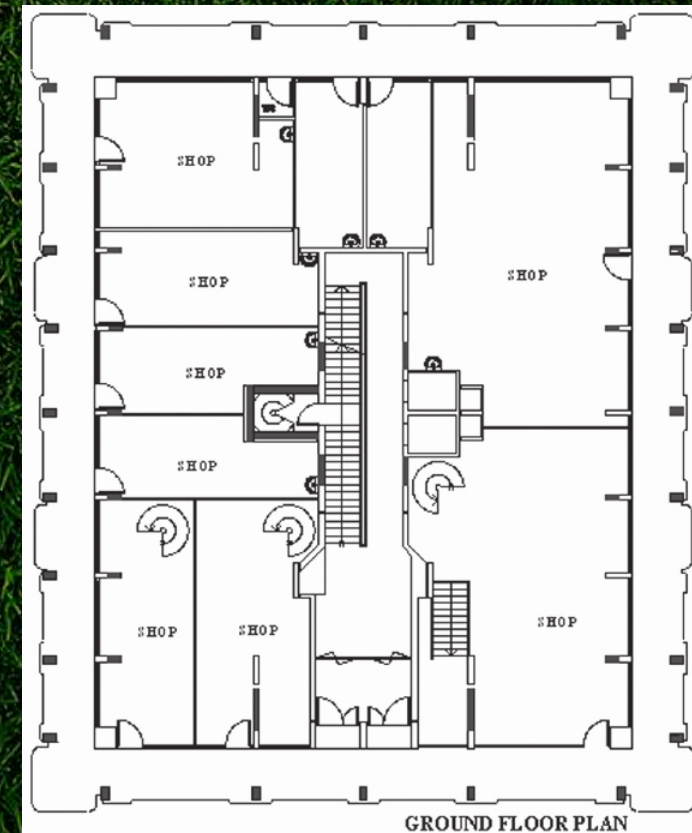
VIOLATION: Primary emergency contact listed is not current (change occurred more than 30 days ago)



Common HMBP Violations

VIOLATION: Site Map Inadequate

For each HMBP site map, certain information is required. Failure to submit a correct site map with all required information will result in a “not accepted” CERS inventory and may be a violation during inspection.



For site map guidance please refer to the following document:

[https://www.sandiegocounty.gov/content/dam/sdc/deh/hmd/pdf/hmbp/HM-952%20\(10-16\).pdf](https://www.sandiegocounty.gov/content/dam/sdc/deh/hmd/pdf/hmbp/HM-952%20(10-16).pdf)

END OF SECTION