

Hazardous Materials Law Changes

Affecting Reporting

This **Hazardous Materials Reporting Chart** explains changes to the inventory reporting requirements in the Health & Safety Code (HSC), Chapter 6.95, Article 1, §25507. These changes are the result of the following legislative bills:

- Assembly Bill 408 *Effective January 1, 2012*
- Senate Bill 483 *Effective January 1, 2014*
- Senate Bill 1261 *Effective January 1, 2015*

Hazardous Materials Reporting Chart

<u>HAZARDOUS MATERIAL TYPE</u>	<u>Facility Reports</u> <u>Electronically in</u> ESubmit or CERS
Compressed Gases	For compressed gases, if a hazardous material or mixture is determined to exceed threshold quantities at standard temperature and pressure, it shall be reported in the physical state at which it is stored. [HSC 25507]
Carbon Dioxide (CO2)	Report if facility handles at any one time during the reporting year cryogenic, refrigerated, or compressed gas in quantities > 1,000 cubic feet at standard temperature and pressure. [HSC 25507]
Compressed Air used in Emergency Response	No requirement to report for compressed air in cylinders, bottles, and tanks used by fire departments and other emergency response organizations (public agency) for the purpose of emergency response and safety. [HSC 25507]
Consumer Products-Retail Establishment*	Hazardous material contained solely in a consumer product, handled at, and found in, a retail establishment and intended for sale to, and for

	<p>the use by, the public. The exemption provided for in this paragraph shall not apply to a consumer product handled at the facility which manufactures that product, or a separate warehouse or distribution center of that facility, or where a product is dispensed on the retail premises [HSC 25507]</p>
<p>Closed Fire Suppression System Exemption</p>	<p>Required to report if, in a quantity of 1,000 cubic feet or more at standard temperature and pressure [HSC 25507]</p>
<p>Fluid in hydraulic system</p>	<p>Report if the combined storage capacity of oils (including used oil) at the facility is $\geq 1,320$ gallons. [HSC 25507]</p>
<p>Gases – Refrigerants</p>	<p>Nonflammable refrigerant gases, as defined in the California Fire Code, that are used in refrigeration systems are exempted up to a quantity of 1,000 cubic feet at standard temperature and pressure HSC 25507 (a)(5)(D);</p> <p>Refrigerant gases, other than ammonia or flammable gas in a closed cooling system, that are used for comfort or space cooling for computer rooms HSC 25507 (b)(1).</p>
<p>Inert Gas – Simple Asphyxiation or Release of Pressure</p> <p><i>This applies for a hazardous material that is a compressed gas, at standard temperature and pressure, and for which the <u>only</u> health and physical hazards are simple asphyxiation and the release of pressure. Cal/EPA has developed guidance to determine if a material qualifies for this reporting threshold:</i></p> <p>http://www.calepa.ca.gov/CUPA/Bulletins/2012/June7UP1106.pdf</p>	<p>The reporting quantity is $\geq 1,000$ cubic feet.</p> <p>NOTE: Except for carbon dioxide referenced above, reporting of a liquefied gas in a cryogenic physical state remains unchanged and is reportable at ≥ 200 cubic feet. [HSC 25507]</p>
<p>Irritant or Sensitizer only</p> <p><i>This applies for a solid or liquid hazardous material that is classified as a hazard <u>solely</u> as an irritant or sensitizer. Cal/EPA developed</i></p>	<p>The reporting quantity is $\geq 5,000$ pounds for solids or ≥ 550 gallons for liquids. [HSC 25507]</p>

<p><i>guidance to determine if a material qualifies for this reporting threshold:</i></p> <p>http://www.calepa.ca.gov/CUPA/Bulletins/2012/June7UP1107.pdf</p>	
<p>Lubricating Oil</p>	<p>Report lubricating oil if volume of each type exceeds 55 gallons OR the total volume of all types exceeds 275 gallons. [HSC 25507]</p> <p>NOTE: Does <u>not</u> apply to used oil which is reportable at ≥ 55 gallons.</p>
<p>Specified Medical Gases</p>	<p>Report at ≥ 200 cubic feet unless the conditions below apply:</p> <p>Report if ≥ 1000 cubic feet for oxygen, nitrogen, and nitrous oxide maintained by a physician, dentist, podiatrist, veterinarian, pharmacist, or emergency medical service provider. . [HSC 25507]</p>
<p>Oil-Filled Electrical Equipment (not contiguous to an electric facility)</p>	<p>Report if the aggregate storage capacity of oil (including used oil) at the facility is $\geq 1,320$ gallons. [HSC 25507]</p>
<p>Authorized Paint Care Facility</p> <p>http://www.paintcare.org/paintcare-states/california/</p>	<p>Report paint ≥ 55 gallons or >500 pounds unless the conditions below apply:</p> <p>Report the paint when the authorized Paint Care business handles at any one time during the reporting year a total weight of 10,000 pounds of solid hazardous materials or a total volume of 1,000 gallons of liquid hazardous materials. [HSC 25507]</p>
<p>Propane</p>	<p>Report on premises use, storage, or both if more than 500 gallons that is for the <u>sole purpose</u> of cooking, cooling/heating the employee</p>

	work areas, and heating water. [HSC 25507]
<p style="text-align: center;">Unstaffed Remote Facilities (conditional reporting requirements do apply)**</p>	<p>Located in an isolated sparsely populated area if the types & quantities <u>are limited</u> to one or more of the following: <i>[Situating at least one-half mile from the nearest occupied structure to be remote].</i> [HSC 25507.2]</p> <ul style="list-style-type: none"> • 1000 cubic feet of compressed gases (asphyxiation and pressure hazard only) • 500 gallons of combustible liquids used as a fuel • Corrosive liquids not to exceed 500 pounds of extremely hazardous substances, used as electrolytes, and in closed containers • 500 gallons lubricating and hydraulic fluids • 1,200 gallons of flammable (hydrocarbon) gas used as fuel • Report quantity of mineral oil contained within electrical equipment, such as transformers, bushings, electrical switches, and voltage regulators, if the spill prevention control and countermeasure (SPCC) plan has been prepared for quantities that meet or exceed 1,320 gallons

HSC = California Health and Safety Code

Reporting chemical inventory in CERS guidance:

- **Compressed Gas:** For a compressed gas, when the gas is determined to meet or exceed threshold quantities at standard temperature and pressure, it shall be reported in the physical state at which it is stored. (For example, liquefied nitrogen = report in gallons) HSC 25507(a)(1)(B)
- If the material is an **extremely hazardous substance** (EHS) as defined in Section 355.61 of Title 40 of the Code of Federal Regulations, all amounts shall be reported in pounds in CERS. [HSC 25507(a)(1)(B)]. The U.S. EPA's Consolidated List of Lists will identify the EHS chemicals that are below 500 pounds that must be reported in CERS, reference EPCRA Section 302:
<http://www2.epa.gov/epcra/epcracerclacaa-ss112r-consolidated-list-lists-october-2012-version>

* **Consumer Products guidance:**

- **Retail establishment** means a business that sells consumer products prepackaged for distribution to, and intended for use by, the general public. A retail establishment may include storage areas or storerooms in establishments that are separated from shelves for display areas but maintained within the physical confines of the retail establishments. A retail establishment does not include a pest control dealer, as defined in Section 11407 of the Food and Agricultural Code. HSC 25501(q)
- Hazardous material contained solely in a **consumer product**, handled at, and found in, a retail establishment and **intended for sale to, and for the use by, the public**. The exemption provided for in this paragraph shall **NOT** apply to a consumer product handled at the facility which manufactures that product, or a separate warehouse or distribution center of that facility, or where a product is dispensed on the retail premises. HSC 25507
- **Consumer product** means a commodity used for personal, family, or household purposes, or is present in the same form, concentration, and quantity as a product prepackaged for distribution to and use by the general public. HSC 25501(j)

** **Unstaffed Remote Facilities Reporting Requirements:** HSC 25507.2

- Situated at least one-half mile from the nearest occupied structure.
- A one-time business plan submittal, except for the emergency response plan and training elements specified in paragraphs (3) and (4) of subdivision (a) of Section 25505, is submitted in CERS by the owner/operator.
- The one-time business plan submittal is subject to a verification inspection by the unified program agency.
- The facility is secured and not accessible to the public.
- Warning signs are posted and maintained for hazardous materials pursuant to the California Uniform Fire Code.