

CalEPA Hazardous Materials Business Plan and California Accidental Release Prevention Unit

Evaluation Checklist for the Hazardous Materials Business Plan (HMBP) including Area Plan, and California Accidental Release Prevention (CalARP) Programs

Applicable Statutes and Regulations

Hazardous Materials Business Plan Program, including Area Plan:

Health and Safety Code (HSC), Division 20, Chapter 6.95, Article 1, Sections 25500-25519
California Code of Regulations, Title 19 (19 CCR), Division 5, Chapter 1, Article 2 and 3,
Sections 5020.1-5030.11

California Accidental Release Prevention Program:

HSC, Division 20, Chapter 6.95, Article 2, Sections 25531-25543.3
19 CCR, Division 5, Chapter 2, Articles 1-12, Sections 5050.1-5160.1

General Information

Unified Program Agency (UPA) Name:

Name of Participating Agency(s) (PA), if applicable:

Evaluation Dates:

Evaluator Name:

Preliminary Activities – Review of Previous Evaluation

Does the UPA have any unresolved or uncorrected deficiencies or incidental findings from previous evaluation(s)? If yes, list:

California Accidental Release Prevention Program Review

Total Number of CalARP facilities

California Environmental Reporting System (CERS):

UPA:

Triennial Inspection Frequency

Has each facility been inspected within the last 3 years? Yes No

- of (%) facilities subject to CalARP Program requirements were not inspected within the last three years.

Notes:

Citation: [HSC Section 25537\(a\)](#); [19 CCR Section 5140.4](#)

Risk Management Plan (RMP) Updates

Has each RMP been revised and updated at least once every five years from the date of its initial submission? Yes No

List facilities with RMPs that have not been revised and updated at least once every five years from the date of its initial submission:

Notes:

Citation: [19 CCR Section 5070.11\(a\)\(1\)](#)

Performance Audit

Has the CUPA conducted an annual performance audit to assess its activities to implement the CalARP program? Yes No Incomplete (see below)

Note: The report shall be compiled annually based upon the previous fiscal year's activities and shall contain an executive summary and a brief description of how the UPA is meeting the requirements of the program as listed in Section 5150.3.

The audit shall include but is not limited to the following information (check each element that is included):

- An annual audit of its activities to implement the Cal-ARP program.
- An executive summary and a brief description of how the UPA is meeting the requirements of the program.
- A listing of stationary sources which have been audited.
- A listing of stationary sources which have been requested to develop RMPs.
- A listing of stationary sources which have been inspected.
- A listing of stationary sources which have received public comments on the RMP.
- A list of new or modified stationary sources.
- A summary of enforcement actions initiated by the UPA identifying each stationary source.
- A summary of the personnel and personnel years necessary to directly implement, administer, and operate the CalARP program.
- A list of those stationary sources determined by the UPA to be exempt from the chapter pursuant to Section 25534(b)(2).

Notes:

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Citation: [19 CCR Section 5150.5](#); [19 CCR Section 5150.3](#)

Dispute Resolution

Has the UPA established procedures necessary to implement a dispute resolution process in case of disputes arising with the owner or operator of a stationary source?

Yes No Incomplete (see below)

The dispute resolution procedures shall (check each element that is included):

- Provide that the owner or operator of a stationary source may initiate the dispute resolution process by serving the UPA with prompt, written notice of a dispute.
- Identify the official(s) or other employee(s) of the UPA who will resolve disputes arising under this Section.
- Set procedures and timetables for providing argument and supporting materials to the UPA.
- Require that the UPA render a written decision within 120 days after the owner or operator of a stationary source initiates the dispute resolution process.
- Use the CUPA dispute resolution process, if the UPA is also a CUPA, providing that such process is consistent with the criteria in (a)(1) through (4) above.

Notes:

Citation: [19 CCR Section 5150.1](#)

Exemptions and Exclusions

Are exemptions and exclusions properly reported and recorded? Yes No

Notes:

Citation: [HSC Section 25534\(b\)](#); [19 CCR Section 5050.4](#); [19 CCR Section 5130.4](#); [19 CCR Section 5130.5](#)

Hazardous Materials Business Plan Program Review

Total Number of HMBP facilities

California Environmental Reporting System (CERS):

UPA:

Triennial Inspection Frequency

Has each facility been inspected within the last 3 years? Yes No

- of (%) facilities subject to HMBP Program requirements were not inspected within the last three years.

Notes:

Citation: [HSC Section 25503\(e\)](#); [HSC Section 25511\(b\)](#); [HSC Section 25404.2\(a\)](#).

Annual HMBP Submittal Frequency

Conduct review of last 13 months of HMBP submittals:

- of (%) regulated business plan facilities have not submitted a chemical inventory (including site map) or a no-change certification within the last 13 months.
- of (%) regulated business plan facilities have not submitted emergency response and employee training plans or a no-change certification within the last 13 months.

Notes:

Citation: [HSC Section 25505\(a\)\(2\) & \(c\)](#); [HSC Section 25508\(a\)](#); [HSC Section 25508.2](#)

Exemptions

Are exemptions properly reported and recorded? Yes No

Notes:

Citation: [HSC Section 25507](#); [HSC Section 25507.1](#)

Area Plan

Certification of an Area Plan Triennial Review

Has the UPA certified that it has conducted a complete review of its area plan and has made any necessary revisions within the past three years? Yes No

Notes:

Citation: [HSC Section 25503\(d\)\(2\)](#).

Area Plan Required Elements

Is the contact information and all citations current and correct in the Area Plan?

Yes No

Notes:

Are all elements required by 19 CCR Article 2 included in the Area Plan? Yes No Note:
Refer to the Area Plan Checklist.

Notes:

Citation: [HSC Section 25503\(c\)](#) ; [19 CCR Article 2](#)