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Unified Program Guidance Letter 17-01

CONSOLIDATED EMERGENCY CONTINGENCY PLAN TEMPLATE- *REVISED*

To: Unified Program Agencies and Regulated Businesses

Background

The Consolidated Emergency Contingency Plan template was initially developed to unify emergency response and contingency plan requirements for hazardous materials and hazardous waste handlers and generator facilities. The Consolidated Emergency Contingency Plan template provides a basic emergency response plan and a basic training plan for an average small to mid-size regulated facility.

Statement of Purpose

The Consolidated Emergency Contingency Plan template was created in 2011 to assist regulated businesses in meeting the following requirements electronically through the California Electronic Reporting System (CERS):

- **Health and Safety Code (HSC) §25505(a)(3)**
A Hazardous Materials Business Plan (HMBP) must contain an Emergency Response Plan and Procedures for immediate response to a reportable release or threatened release of a hazardous material.
- **California Code of Regulations (CCR) Title 22 §66262.34(a)(4)**
A Contingency Plan must be prepared for each facility that:
 - generates 1,000 kilograms or more of hazardous waste in any one calendar month
 - accumulates more than 6,000 kilograms of hazardous waste on-site at any one time
 - generates more than 1 kilogram of acutely hazardous waste in any one calendar month
 - generates more than 100 kilograms of debris resulting from the spill of an acutely hazardous waste
 - treats hazardous waste onsite under the Permit by Rule onsite treatment tier

In response to concerns raised by Unified Program Agency (UPA) representatives, the Consolidated Emergency Contingency Plan template has been revised to also satisfy the HMBP employee training requirements specified in HSC §25505(a)(4), if accepted by the local UPA. The Consolidated Emergency Contingency Plan template may only satisfy the employee training plan requirement for some regulated facilities, such as those with limited quantities or certain types of hazardous materials.

The revised Consolidated Emergency Contingency Plan template and instructions for completing the template are now available at: <http://www.calepa.ca.gov/cupa/bulletins/> and can also be accessed through CERS at <http://cers.calepa.ca.gov/businesses>.

Analysis

Use of the Consolidated Emergency Contingency Plan template is optional, it is not mandatory. Regulated businesses may substitute their own emergency planning and employee training documents, such as a customized Emergency Contingency Plan, provided that all requirements of HSC §25505(a)(3) and CCR Title 22 §66262.34(a)(4) are met in the submitted documentation. UPAs may not reject the use of the Consolidated Emergency Contingency Plan template or require additional or different information than the template unless:

- The UPA has an adopted local ordinance with specific authorization amending the requirements in HSC 6.95 and CCR Title 22 and,
- Notice has been posted to the CERS website in the “Local Reporting Requirements” section.

Facilities of exceptional size, having certain types of hazardous materials, or having exceptional operations or processes that warrant additional contingency planning may be required by the UPA to submit supplementary information.

However, use of the Consolidated Emergency Contingency Plan template to meet the requirements of HSC §25505(a)(4) is at the discretion of the local UPA.

Action

CalEPA recommends that UPAs and regulated businesses utilize the revised Consolidated Emergency Contingency Plan template and instructions to satisfy the electronic reporting requirements of HSC §25505(a)(3), HSC §25505(a)(4) and CCR Title 22 §66262.34(a)(4) for emergency planning and employee training.

Questions

Please direct all questions regarding this guidance to John Paine, Unified Program Manager, at (916) 327-5092 or email at john.paine@calepa.ca.gov.

Original signed by Jim Bohon

Jim Bohon
Assistant Secretary for Local Program Coordination and Emergency Response



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Businesses

For general assistance using CERS or a local Unified Program Agency (UPA) reporting portal, or for questions regarding what facility data should be reported, contact the local Unified Program Agency. Contact information for each Unified Program Agency is available in the [Unified Program Regulator Directory](#).

Multi-Facility AND Multi-Jurisdictional Businesses

To set up a business organization in CERS with facilities in more than one UPA jurisdiction, one corporate identity can be created to consolidate management of all facilities by one or more authorized users. To establish a multi-facility business and consolidate any existing CERS facilities under the business, please review the [CERS Organization Request](#) and provide the required information to CERS Technical Support at cers@calepa.ca.gov. The email request should be followed with a copy of the same letter mailed to: CalEPA Unified Program, CERS Organization Request, P.O. Box 2815, Sacramento, CA 95812.

Should a Business use CERS or a local CUPA portal to electronically report required Unified Program information?

- Businesses whose facilities are ALL within a single CUPA jurisdiction may use a local CUPA portal, which may have additional features or services for businesses that are not offered in CERS. CUPAs will notify businesses in their jurisdiction if there is a local portal available for use.
- Businesses with facilities in multiple CUPA jurisdictions may prefer to use CERS as the single reporting site for all facilities.
- CUPAs cannot require any business to use a local portal to report required Unified Program information.
- Electronically reporting required Unified Program information to CERS and a local CUPA portal is prohibited.
- Whether a business uses CERS or a local CUPA portal, information reported electronically

is automatically exchanged between CalEPA and the CUPA, making it available to both agencies, without duplication.

CERS Business Users Group (CBUG)

- As of April, 2016, CBUG has adjourned its activities. CBUG was created in 2010-2011 with the mission to provide feedback to CalEPA on the evaluation and use of the CERS Business Portal by more than 300 business users, representing single owner operated “Mom & Pop” businesses, consultants, and global corporations.
- CBUG’s involvement in the CERS 3.0 workgroup and development of recommended enhancements revealed that the primary areas needing further improvement are in the CERS regulatory and business portals. Current, business concerns are principally geared towards consistent implementation of the State’s Unified Program throughout the state in regards to administrative requirements, permits, inspections, and enforcement matters, all of which are considered to be outside the scope of CBUG’s mission.

CERS Hazardous Material Inventory ([Upload Template](#))

- Upload a facility inventory by choosing the appropriate inventory spreadsheet.
- Uploaded inventory spreadsheets must match the columns and format as shown in the [Upload Template](#) CERS only supports MS Excel version 2007 and above (format.xlsx extension).
- CalEPA does not recommend more than 500 materials per upload (which can take 60-100 seconds to upload/process). Larger inventories can be either.
 - 1) Divided into separate spreadsheets and uploaded using the “Append to Existing Inventory” option, or
 - 2) Uploaded for deferred processing as a single large inventory file (or a single upload file with inventories for multiple facilities) using the upload template.
- To download facility inventory entries already existing in CERS, use the Hazardous Material Inventory [Upload Template](#) functionality. Facility inventories can be edited and re-uploaded using the upload template.
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Consolidated Emergency Response/Contingency Plan

The Consolidated Emergency Response/Contingency Plan is designed to consolidate emergency response and contingency plan requirements for hazardous materials handlers and hazardous waste generator facilities. Use of this Consolidated Emergency Response/Contingency Plan is not mandatory. Note: “Section I. Employee Training” may not suffice all training plan requirements in some CUPA jurisdictions and additional information may be required.

- [Template](#)
- [Instructions](#)

Quick Links for Business Users

- [CERS Hazardous Material Inventory Upload Template](#)
- [Consolidated Emergency Response/Contingency Plan](#)
 - [Template](#)
 - [Instructions](#)
- [Chemical Library](#)
- [Unified Program Agency Reporting Requirements for Regulated Businesses](#)
- [CERS Business Training Portal](#)