Hazardous Materials Business Plan Annual Certification (AB1429)

A New CERS Function
AB 1429

- Chaptered July 9, 2019
- Effective January 1, 2020
- Qualified businesses now submit business plans triennially
  - Local Ordinances may require annual submission
- Annual Certification between submittals
- Impacts on Unified Program/CERS
HMBP Annual Certification Project

- Stakeholder workgroup established
- CERS IT Team developed new functionality
- Deployed in CERS on 9/18/20
- 9-Month Project
- Project Objectives
  - Implement new HMBP certification process in CERS as required by statute
  - Create a simplified process for all CERS users
Project Components

- Planning
- Development
- Testing
- Deployment
Eligibility Criteria

• Must not be subject to APSA or EPCRA requirements
• No active HMBP submittal element drafts
• No changes to the HMBP from last submittal
• Last HMBP submittal status is either Submitted, Under Review, or Accepted
• Last HMBP submitted within last 36 months
• Last HMBP submittal submitted on or after 1/1/2019
EPCRA Applicability Criteria

<table>
<thead>
<tr>
<th>EPCRA Tier II Reporting Chemicals</th>
<th>EPCRA Reportable Thresholds</th>
</tr>
</thead>
<tbody>
<tr>
<td>Extremely Hazardous Substances (EHSs, EPCRA Section 302)</td>
<td>500 pounds or the threshold planning quantity, whichever is lower (40 CFR Part 355, Appendices A and B, or &quot;List of Lists&quot;)</td>
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<tr>
<td>Gasoline in underground storage tanks at retail gas stations</td>
<td>75,000 gallons (all grades combined)*</td>
</tr>
<tr>
<td>Diesel fuel in underground storage tanks at retail gas stations</td>
<td>100,000 gallons (all grades combined)*</td>
</tr>
<tr>
<td>All other hazardous chemicals for which Safety Data Sheets are required</td>
<td>10,000 pounds</td>
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</tbody>
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*If UST facility was not in compliance at all times during the preceding calendar year then EPCRA reporting is applicable regardless of quantity stored.
New Certification Functionality

- Easy process for Businesses
- Business responsible to determine EPCRA applicability – verify with CUPA
- Certifications are automatically accepted
- No action required by CUPAs
- May review and change status
Guidance

Written Guidance Developed

- CalEPA Unified Program Newsletter
- Emailed to CUPA Program Managers
- Posted on CalEPA Unified Program webpage
- Includes Screen Shots

Webinars
Future Considerations

• Allowing companies with multiple facilities to certify more than one facility at a time

• Develop a method to prevent businesses from certifying if they are subject to EPCRA Tier II requirements
Questions

CERS Technical Questions contact

CERS@calepa.ca.gov

Program Questions contact

CUPA@calepa.ca.gov