Hazardous Materials Business Plan Annual Certification (AB1429)

A New CERS Function

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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

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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

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Project Components

- Planning
- Development
- Testing
- Deployment

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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

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EPCRA Applicability Criteria

EPCRA Tier II Reporting Chemicals	EPCRA Reportable Thresholds
Extremely Hazardous Substances (EHSs, EPCRA Section 302)	500 pounds or the threshold planning quantity, whichever is lower (40 CFR Part 355, Appendices A and B, or "List of Lists")
Gasoline in underground storage tanks at retail gas stations	75,000 gallons (all grades combined)*
Diesel fuel in underground storage tanks at retail gas stations	100,000 gallons (all grades combined)*
All other hazardous chemicals for which Safety Data Sheets are required	10,000 pounds

*If UST facility was not in compliance at all times during the preceding calendar year then EPCRA reporting is applicable regardless of quantity stored.

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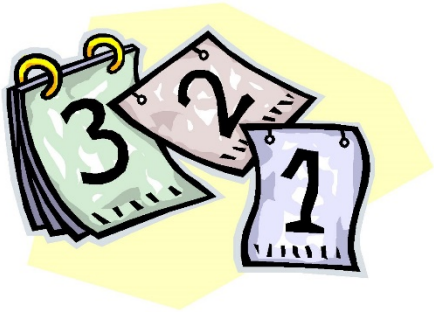
New Certification Functionality

- 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



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Guidance

Written Guidance Developed

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

Webinars

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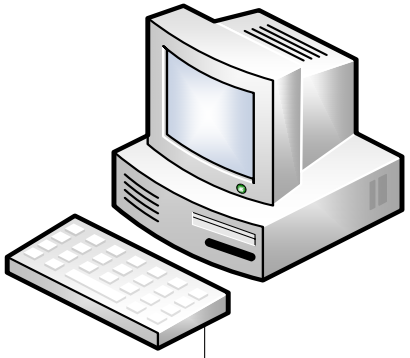
Future Considerations

- 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



CERS

Compare business rules

Yes

No

Eligible

Not Eligible

Certify

Certify

Questions

CERS Technical Questions contact

CERS@calepa.ca.gov

Program Questions contact

CUPA@calepa.ca.gov