

Loss Control Bulletin # 6

California Code of Regulations Title 19, Division 2, Chapter 4, Article 4, Sections 2729 through 2732¹ require all businesses that handle greater than minimum quantities of hazardous materials to prepare an inventory of those substances and to establish comprehensive management plans (business plans) for emergency response to a release of a hazardous substance. California Legislation passed in 1993 requires that inventory information and plans must be submitted and approved by the Certified Unified Program Agency (CUPA) or an Administering Agency. The various agencies comprising CUPA are responsible for providing technical assistance and evaluation services for distinct aspects of Business Plans.²

These regulations do not define what is a hazardous material. As a rule, everything should be considered hazardous if you get an MSDS for it from suppliers. Check with the local entity if in doubt.

All businesses that use more than 500 pounds, 55 gallons, or 200 cubic feet of a hazardous material must develop a Business Plan for Emergency Response. The basic requirements of a Business Plan are outlined below. A single Consolidated Contingency Plan should be considered for businesses that are required to file two or more of the following emergency plans:

- Hazardous Materials Business Plan
- Contingency Plan for hazardous waste generators
- Spill Prevention and Countermeasure Plan for above ground storage tanks

- Marine Facility Oil Spill Contingency Plan for prevention and response
- Accident/Spill Prevention Plan for underground storage tanks
- Risk Management Plan for California Accidental Release Prevention Program (CalARP)

(For more information about filing a single Consolidated Contingency Plan that combines the requirements of two or more emergency plans, see the website link provided at the end of this bulletin.)

Minimum standards of a Business Plan for Emergency Response:

1. Annual inventory of hazardous materials which are stored (chemical name, categories of hazardous waste, maximum quantity, how and where handled)
2. Name and address of the facility
3. SIC code or nature of business
4. Principal business activity
5. Name and phone number of the company representative designated available 24 hours in case of an emergency
6. Location on-site of the hazardous materials
7. Emergency notification procedures
8. Response methods
9. Evacuation procedures, including evacuation routes
10. Employee training programs

Local administering agencies may modify the standards. As an example, some agencies have a short form business plan if the business only stores gasoline, diesel, motor oil, or solvents connected with vehicle maintenance. "Storage", for the purposes of the inventory, does not include hazardous materials in transit or temporarily

maintained in a fixed facility for less than 30 days during the course of transportation.

California Code of Regulations require businesses to report any release or threatened release of a hazardous material to the local administering agency (county or city), and to the state Office of Emergency Services Warning Center (916) 845-8911 or (800) 852-7550, and to 911.

What Should You Do?

1. If you have not filed your inventory and business plan, contact the County Health Department and find out which agency administers your company's business plan. The county can also tell you the name of the cities that have their own program within the county.
2. Identify the key person in your company who is responsible for hazardous materials management, chemical inventories, OSHA Hazard Communication and other hazardous material response plans.
3. Conduct a thorough hazardous material inventory.
4. Review your Material Safety Data Sheets (MSDS) against the inventory. Request any missing MSDS if you do not have a complete set.
5. Prepare a facility map indicating where the hazardous materials are and the location of emergency response equipment (e.g., spill clean-up, fire extinguishers, etc.).
6. Write a business plan that includes all of the elements required by the administering agency.
7. Be sure everyone who handles hazardous materials is aware of the procedures to follow in the event of a release or threatened release. These people should be

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trained to read an MSDS and to use proper chemical handling practices. Keep records of all training provided to employees.

Website Information:

Certified Unified Program- <http://www.calepa.ca.gov/CUPA/>

Developing a California Consolidated Contingency Plan- <http://www.calcupa.net/programs/related/consolidated/guidancedoc.pdf>

¹ California Code of Regulations Title 19, Division 2, Chapter 4, Article 4, Section 2729 through 2732 http://ccr.oal.ca.gov/cgi-bin/om_isapi.dll?clientID=94072&infobase=ccr&softpage=Browse_Frame_Pg42

² State agencies involved with CUPA include: California Environmental Protection Agency (CAL/EPA), Department of Toxic Substances Control (DTSC), Governor's Office of Emergency Services (OES), Office of State Fire Marshall (OSFM), and State Water Resources Control Board (SWRCB).

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