



## Hazardous Materials Business Plan (HMBP) Reporting Thresholds

This **Hazardous Materials Reporting Chart** explains the inventory reporting requirements in the Health & Safety Code (HSC), Chapter 6.95, Article 1, §25507. These requirements are the result of the following legislative bills:

- Assembly Bill 408 Effective January 1, 2012
- Senate Bill 483 Effective January 1, 2014
- Senate Bill 1261 Effective January 1, 2015

Please review the **Hazardous Materials Reporting Chart** to determine if your facility is affected by the reporting requirements. When applicable, a facility must update the hazardous materials inventory using the [California Environmental Reporting System \(CERS\)](#) and submit the changes for review and acceptance by the inspector. Please be advised that facility permit fees are based on the inventory reported in CERS; therefore, if a facility does not routinely review and submit their inventory changes in CERS based on the law it may result in incorrect fees on your annual facility permit invoice.

State law requires changes or updates to a facility's reportable inventory be submitted in CERS within 30 days (Cal.HSC §25508.1).

The type of hazardous material in the chart and its use is pursuant to state law and Article 21 (Hazardous Materials Ordinance) of the San Francisco Health Code. Pursuant to Article 21, the reporting thresholds for hazardous materials used/stored in laboratories are as follows: 25 grams (0.06 lbs.); 100 milliliters (0.025 gal.); or 10 cubic feet at standard temperature and pressure for compressed gas.

If you have any questions please contact your District Inspector or the Hazardous Materials & Waste Program at 415-252-3900 or [HMUPA.DPH@sfdph.org](mailto:HMUPA.DPH@sfdph.org).

## Hazardous Materials Reporting Chart

<u>HAZARDOUS MATERIAL TYPE</u>	<u>Amendments in HSC &amp; CERS Facility Reports</u>	<u>SF Health Code Article 21 and SFDPH Local Requirements</u>
<b>Carbon Dioxide (CO2)</b>	The reporting quantity is ≥ 1,000 cubic feet.  [HSC 25507(a)(5)(C)]	Food Facilities: Default to <b>HSC</b> ( ≥1000 cf) Non Food Facilities: A 21 threshold (≥ 200 cf)
<b>Specified Medical Gases at Medical Facilities</b>	The reporting quantity is ≥ 1,000 cubic feet for oxygen, nitrogen, and nitrous oxide maintained by <u>a physician, dentist, podiatrist, veterinarian, pharmacist, or emergency medical service provider</u>  [HSC 25507(a)(5)(B)]  Report at ≥200 cubic feet <b>other than medical facility</b> .	A21: One time registration if <b>each</b> gas < 1000 cubic feet. Exempted from filing a renewal application and paying annual renewal fees [A21 1115 (c)].  Default to <b>A21</b> .
<b>Inert Gas – Simple Asphyxiation or Release of Pressure</b>	The reporting quantity is ≥ 1,000 cubic feet each gas.  [HSC 25507(a)(5)(A)]  <b>NOTE:</b> <i>This applies for a hazardous material that is a compressed gas, at standard temperature and pressure, and for which the <u>only</u> health and physical hazards are simple asphyxiation and the release of pressure. Cal/EPA has developed guidance (UP-11-06) to determine if a material qualifies for this reporting threshold:</i>  <i>Inert gases may include: air, argon, helium, nitrogen. Higher threshold does <b>not</b> apply to inert gases held in a cryogenic state.</i>	Default to <b>HSC</b> .  Default to <b>HSC</b>  Note: SFDPH adopted the higher threshold standards for inert gases in 2013.
<b>Nonflammable Refrigerant Gases – Used in Refrigeration System</b>	The reporting quantity is ≥ 1,000 cubic feet.  [HSC 25507(a)(5)(D)]  Ex. R22 (Lucky stores)	Default to <b>HSC</b> .

<b>HAZARDOUS MATERIAL TYPE</b>	<b>Amendments in HSC &amp; CERS Facility Reports</b>	<b>SF Health Code Article 21 and SFDPH Local Requirements</b>
<b>Gases used in Closed Fire Suppression System</b>	The reporting quantity is $\geq 1,000$ cubic feet. [HSC 25507(a)(5)(E)] Ex. Halon 1301	Default to <b>HSC</b> .
<b>Gases in Closed Cooling System Exemption</b>	Not required to report if refrigerant gases, <u>other than ammonia or flammable gas</u> in a closed cooling system, that are used for comfort or space cooling for computer rooms. [HSC 25507(b)(1)] Ex. R22, R407A (commercial office buildings)	Default to <b>HSC</b> .
<b>Compressed Air used in Emergency Response</b>	No requirement to report in CERS compressed air in cylinders, bottles, and tanks used by fire departments and other emergency response organizations for the purpose of emergency response and safety. [HSC 25507(b)(2)]	Default to <b>HSC</b> . Note: Public agency exempted. Compressed air used by private business is required to report at $\geq 200$ cubic feet.
<b>Propane used for Cooking and Heating</b>	Propane that is for on-premises use, storage, or both, in an amount not to exceed 500 gallons, that is for the sole purpose of cooking, heating employee work areas, and heating water within that business, unless the uniform program agency finds, and provides notice to the business handling the propane, that the handling of the on-premises propane requires the submission of a business plan, or any portion of a business plan, in response to public health, safety, or environmental concerns. [HSC 25507(b)(6)]	Default to <b>HSC</b> .
<b>Lubricating Oil</b>	Report lubricating oil if volume of each type exceeds 55 gallons <b>OR</b> the total volume of all types exceeds 275 gallons. [HSC 25507(b)(3)] <b>NOTE:</b> Does <u>not</u> apply to used oil which is reportable at $\geq 55$ gallons.	Default to <b>A21</b> A21: Report all liquid hazardous materials in containers $\geq$ one gallon. [A21 1110(a)(3)(A)]

<b><u>HAZARDOUS MATERIAL TYPE</u></b>	<b><u>Amendments in HSC &amp; CERS Facility Reports</u></b>	<b><u>SF Health Code Article 21 and SFDPH Local Requirements</u></b>
<b>Fluid in hydraulic system</b>	Report if the aggregate storage capacity of fluid (not including used oil) at the facility is $\geq 1,320$ gallons.  [HSC 25507(b)(4)(A)]	Default to <b>HSC</b> .
<b>Fluid in Oil-Filled Electrical Equipment (not contiguous to an electric facility)</b>	Report if the aggregate storage capacity of fluid (not including used oil) at the facility is $\geq 1,320$ gallons.  [HSC 25507(b)(4)(B)]	Default to <b>HSC</b> .
<b>Consumer Products-Retail Establishment Exemption</b>	No requirement to report in CERS. Hazardous material contained solely in a consumer product, handled at, and found in, a retail establishment and intended for sale to, and for the use by, the public. The exemption provided for in this paragraph <b>shall not apply</b> to a consumer product handled at the facility which manufactures that product, or a separate warehouse or distribution center of that facility, or <b>where a product is dispensed on the retail premises</b> .  [HSC 25507(b)(5)]	Default to <b>HSC</b> .  Note: Propane container sold to public for barbecue (container size 5 lb or 40 cubic feet) exempted as a consumer product.  Propane stored for the purpose of refilling smaller tanks is not exempted.
<b>Irritant or Sensitizer only</b>	The reporting quantity is $\geq 5,000$ pounds for solids or $\geq 550$ gallons for liquids.  [HSC 25507(a)(4)(A)]  <i>This applies for a solid or liquid hazardous material that is classified as a hazard <u>solely</u> as an irritant or sensitizer. Cal/EPA developed guidance (UP-11-07) to determine if a material qualifies for this reporting threshold.</i>	Default to <b>A21</b>  A21: Report  (A) All liquid hazardous materials in containers $\geq$ one gallon; (B) All solid hazardous materials in containers $>$ 25 pounds; (C) All compressed gas hazardous materials in containers $>$ 10 cubic feet. [A21 1110 (a)(3)(A)(B)(C)]

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<p><b><u>Authorized Paint Care Facility (paints to be recycled)</u></b></p>	<p>If the hazardous material handled by the business is a paint that will be recycled or otherwise managed under an architectural paint recovery program approved by the Department of Resources Recycling and Recovery pursuant to Chapter 5 (commencing with Section 48700) of Part 7 of Division 30 of the Public Resources Code, the business is required to establish and implement a business plan only if the business handles at any one time during the reporting year a total weight of 10,000 pounds of solid hazardous materials or a total volume of 1,000 gallons of liquid hazardous materials.</p> <p>[HSC 25507(a)(4)(B)]</p>	<p>Default to HSC.</p>
<p><b>Unstaffed Remote Facilities</b> <b>(conditional reporting requirements do apply)**</b></p>	<p>Located in an isolated sparsely populated area if the types &amp; quantities <u>are limited</u> to one or more of the following: <i>[Situated at least one-half mile from the nearest occupied structure to be remote].</i></p> <p>[HSC 25507.2]</p> <ul style="list-style-type: none"> <li>• 1000 cubic feet of compressed gases (asphyxiation and pressure hazard only)</li> <li>• 500 gallons of combustible liquids used as a fuel</li> <li>• Corrosive liquids not to exceed 500 pounds of extremely hazardous substances, used as electrolytes, and in closed containers</li> <li>• 500 gallons lubricating and hydraulic fluids</li> <li>• 1,200 gallons of flammable (hydrocarbon) gas used as fuel</li> <li>• Report quantity of mineral oil contained within electrical equipment, such as transformers, bushings, electrical switches, and voltage regulators, if the spill prevention control and countermeasure (SPCC) plan has been prepared for quantities that meet or exceed 1,320 gallons</li> </ul>	<p>Default to HSC.</p>

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<b>Farm Exemption</b>	<p>A unified program agency shall exempt a business operating a farm for purposes of cultivating the soil or raising or harvesting any agricultural or horticultural commodity from filing the information in the business plan required by paragraphs (3) and (4) of subdivision (a) of Section 25505 if all of the following requirements are met</p> <p style="text-align: right;">[HSC 25507.1(a)]</p>	<p>Default to <b>HSC</b>.</p>
<b>Re-submit Inventory Required</b>	<p>Within 30 days of any one of the following events, a business subject to this article shall electronically update the information submitted to the statewide information management system</p> <p style="text-align: right;">[HSC 25508.1]:</p> <p>(a) A <b>100 percent</b> or more increase in the quantity of a previously disclosed material.</p>	<p>Default to <b>A21</b>.</p> <p>A21: Within 30 days of any one of the following events, any business required to obtain a certificate of registration pursuant to this Section shall file an addendum to the certificate of registration detailing the handling and the following appropriate information:</p> <ul style="list-style-type: none"> <li>(1) Change of business name</li> <li>(2) A <b>50 percent</b> or more increase in the quantity of a previously disclosed material.</li> <li>(3) Any handling of a previously undisclosed material subject to inventory requirements.</li> </ul> <p>[A21 1110 (c)(1)(2)(3)]</p>
<b>Training Document Retaining for 3 years</b>	<p>These training programs may take into consideration the position of each employee. This training shall be documented electronically or by hard copy and shall be made available for a minimum of <b>three years</b></p> <p style="text-align: right;">[HSC 25505(a)(4)].</p>	<p>Default to <b>HSC</b>.</p>

<u>HAZARDOUS MATERIAL TYPE</u>	<u>Amendments in HSC &amp; CERS Facility Reports</u>	<u>SF Health Code Article 21 and SFDPH Local Requirements</u>
<p align="center"><b>Annual HMBP Submission (HSC6.95) and Renewal of Certificate of Registration (COR) (A21)</b></p>	<p>A handler shall electronically <b>submit its business plan annually</b> to the statewide information management system in accordance with the requirements of this article and certify that the business plan meets the requirements of this article [HSC 25508(a)(1)(A)].</p> <p>The unified program agency shall establish an <b>annual date</b> by which a handler shall electronically submit the business plan. If a unified program agency does not otherwise establish an annual date, the handler shall submit the business plan on or before <b>March 1</b> [HSC 25508(a)(1)(B)].</p>	<p>Default to <b>A21</b> - Renewal of COR.</p> <p>A21: (a) A certificate of registration shall be issued for a term of <b>one year</b>. (b) The registrant shall submit an application for a renewal at least 30 days prior to the expiration date of the certificate of registration. <b>The application for renewal shall include a certification by the registrant that it has reviewed</b> all information previously submitted for its current registration to determine if any revisions are needed and that it has made any necessary changes to the previously submitted application. A copy of any changes shall be submitted to the Department of Health as part of the renewal application. [A21 1115 (a)(b)]</p> <p>Annual HMBP submission Default to <b>HSC</b>.</p>

HSC = California Health and Safety Code

A21 = Article 21, Hazardous Materials, San Francisco Health Code

**Reporting chemical inventory in CERS guidance:**

- **Compressed Gas:** For a compressed gas, when the gas is determined to meet or exceed threshold quantities at standard temperature and pressure, it shall be reported in the physical state at which it is stored. (For example, **liquefied nitrogen = report in gallons**) HSC 25507(a)(1)(A)
- If the material is an **extremely hazardous substance** (EHS) as defined in Section 355.61 of Title 40 of the Code of Federal Regulations, all amounts shall be reported in **pounds in CERS**. [HSC 25507(a)(1)(B)]. The U.S. EPA’s Consolidated List of Lists will identify the EHS chemicals that are below 500 pounds that must be reported in CERS, reference [EPCRA Section 302](#).

**\* Consumer Products guidance:**

- Retail establishment means a business that sells consumer products prepackaged for distribution to, and intended for use by, the general public. A retail establishment may include storage areas or storerooms in establishments that are separated from shelves for display areas but maintained within the physical confines of the retail establishments. A retail establishment does not include a pest control dealer, as defined in Section 11407 of the Food and Agricultural Code. HSC 25501(q)
- Hazardous material contained solely in a consumer product, handled at, and found in, a retail establishment and intended for sale to, and for the use by, the public. The exemption provided for in this paragraph shall NOT apply to a consumer product handled at the facility which manufactures that product, or a separate warehouse or distribution center of that facility, or where a product is dispensed on the retail premises. HSC 25507
- Consumer product means a commodity used for personal, family, or household purposes, or is present in the same form, concentration, and quantity as a product prepackaged for distribution to and use by the general public. HSC 25501(j)

**\*\* Unstaffed Remote Facilities Reporting Requirements: HSC 25507.2**

- Situated at least one-half mile from the nearest occupied structure.
- A one-time business plan submittal, except for the emergency response plan and training elements specified in paragraphs (3) and (4) of subdivision (a) of Section 25505, is submitted in CERS by the owner/operator.
- Submit facility changes within 30 days in CERS.
- The one-time business plan submittal is subject to a verification inspection by the unified program agency.
- The facility is secured and not accessible to the public.
- Warning signs are posted and maintained for hazardous materials pursuant to the California Uniform Fire Code.

**Laboratories : A21 1102(y)**

"Laboratory" means a business or part of a business operated by scientists or engineers, or by students or technicians under their supervision, for the following purposes: investigation of physical, chemical or biological properties of substances; development of new or improved chemical processes, products, or applications; analysis, testing, or quality control; or instruction and practice in a natural science or in engineering. These operations are characterized by the use of a relatively large and variable number of chemicals on a scale in which the containers used for reactions, transfers, and other handling of chemicals are normally small enough to be easily and safely manipulated by one person.