

## **Loss Control Bulletin**

The Hazardous Materials Business Plan (HMBP) program was established in 1986 to prevent or minimize the damage to public health and safety and the environment from a release or threatened release of hazardous materials.

The program also satisfies community right-to-know laws. This is accomplished by requiring businesses that handle hazardous materials in quantities equal to or greater than 55 gallons of a liquid, 500 pounds of a solid, or 200 cubic feet of compressed gas, or extremely hazardous substances above the threshold planning quantity (40 CFR, Part 355, Appendix A) to do the following:

- Inventory their hazardous materials
- Develop a site map
- Develop an emergency plan
- Implement a training program for employees

Businesses must submit this information electronically to the statewide information management system (California Environmental Reporting System, or CERS). For help in doing this, businesses should contact their local implementing agency (Certified Unified Program Agency or CUPA). Once the submittal has been made, the CUPA will verify the information and provide it to agencies responsible for the protection of public health and safety and the environment. These agencies include:

- Fire Departments
- Hazardous Materials Response Teams
- Local Environmental Regulatory Groups (e.g., Tahoe Regional Planning Agency)

The public also has a right to review most of this information. However, the release of confidential and trade secret information to the public is regulated by state and federal law. This satisfies community right-to-know laws and facilitates local land use decisions. For public requests of information, contact the CUPAs directly.

## **SDS/Tier II**

The federal equivalent to the Business Plan program is the Emergency Planning and Community Right-to-Know Act (EPCRA) 311/312 reporting requirements. Owners and operators are required to prepare and have available Safety Data Sheets (SDS) under the Federal Occupational Safety and Health Administration (OSHA) Hazard Communication Standard and must submit an inventory of their hazardous chemicals to the State

The guidelines provided in this bulletin are only intended to provide an overview of some of the more important steps that can be taken by management to establish a safe workplace. The guidelines are not considered exhaustive of all measures and controls that can be implemented by management to address all potential loss or injury producing causes. Ultimately it is the responsibility of management to take the necessary steps to provide for employee and customer safety.

Emergency Response Commission (SERC), Local Emergency Preparedness Committee (LEPC), and the local fire department annually on March 1st. This requirement is achieved through compliance with the Business Plan program. Contact your local CUPA for compliance and questions.

**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>

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