



A Tradition of Stewardship
A Commitment to Service

Napa County CUPA

Napa County Department of Planning, Building & Environmental Services is the designated Certified Unified Program Agency, or CUPA, for Napa County. As the CUPA, this Department is responsible for the implementation of the Unified Programs: **Hazardous Materials Business Plan, Hazardous Waste, Above-ground Petroleum Storage, Underground Storage Tank and California Accidental Release Programs.**

Who must file a Hazardous Material Business Plan?

A business shall establish and implement a Hazardous Materials Business Plan (HMBP) if the business handles a hazardous material or a mixture containing a hazardous material in the following quantities:

- Equal to or greater than **500 pounds** of a solid
- Equal to or greater than **55 gallons** of a liquid
- Equal to or greater than **200 cubic feet** of a gas (calculated at standard temperature and pressure)
- Equal to or greater than the federal threshold planning quantity (TPG) for an extremely hazardous substance (EHS) listed in the Code of Federal Regulations, Title 40, Section 355, appendix A
- A radioactive material handled in quantities for which an emergency plan is required to be adopted pursuant to Code of Federal Regulations, Chapter 10, Title 10, Sections 30, 40 and 70

Exemptions to the HMBP Program

- Lubricating Oil: In a single facility IF the total volume of *each* type does not exceed 55 gallons and the total volume of all types do not exceed 275 gallons at any one given time.
USED OIL is NOT included in this exemption.
- Consumer Products: For direct distribution to and use by the general public. However, a facility may be required to submit a HMBP if the handling of the products poses a potential threat to public health and safety or the environment.
- Compressed gases that are hazardous due to their behavior as a simple asphyxiate, are exempt up to 1,000 cubic feet per gas type. This would include Nitrogen, Argon, Carbon Dioxide, and Helium.
- Materials that are hazardous due to their behavior as an irritant are exempt up to 5,000 pounds.
- On premise use, storage, or both of propane in an amount not to exceed 500 gallons used for employee heating and cooking area(s).

Government agencies and non-profit businesses are not exempt from HMBP requirements.

What is a Hazardous Material?

"Hazardous material means any material that, because of its quantity, concentration or physical or chemical characteristics, poses a significant present or potential hazard to human health and safety or the environment if released into the workplace or the environment."

(HSC §25501 (k))



What is the purpose of this Program?

1. Ensure safe handling and storage of hazardous materials, to prepare facilities for accidents or emergencies involving these materials and employee training.
2. Provide emergency responders with information regarding the types, amounts and storage locations of hazardous materials stored within a facility.
3. Meet the Community Right to Know mandate that recognizes that citizens have the right to know what types of hazardous materials are stored in their community.

Hazardous Materials Business Plan Submittal

If you have determined your facility is required to submit a HMBP, it must be completed through CERS.

By January 1, 2013 all regulated businesses are required to submit their HMBP electronically using CERS, which stands for California Environmental Reporting System. CERS is administered through Cal EPA.

<http://cers.calepa.ca.gov>

- Facilities will create a unique ID and password.
- Multi Facility/Multi Jurisdictional Businesses have the ability to consolidate management of multiple sites within the state with one corporate identity.
- Complete the required Facility Information.
- Complete an Inventory form for **each** hazardous material stored in a reportable quantity.
- Upload a Facility Site Map.
- Upload an Emergency Response Plan.
- These forms will be saved in CERS and submitted to Napa County CUPA for approval.

Facility Lay Out and Site Map

Submit a site map that includes, at a minimum, the following.

- Scale of map or drawing
- Site orientation
- Buildings
- Location(s) of hazardous material handling and/or storage area(s)
- Emergency Meeting Locations
- Exits, Evacuation route(s) and meeting location(s)
- Loading area(s)
- Parking lot(s)
- Internal road(s)
- Adjacent property use, streets
- Location(s) and name(s) of adjacent street(s) and alley



Napa County CUPA will review all submitted information via CERS. The business will be notified via email if any of the elements are not accepted. Any corrections must be submitted within 30 days of such notification.

Contents of the Emergency Response Plan/Contingency Plan

Facilities may use the Emergency Response/Contingency Plan template provided by CERS or one provided by Napa County CUPA. A facility may create their own Plan provided that it contains the minimum information per HSC §25504:

- Immediate notification to Napa County CUPA and the appropriate local emergency rescue personnel
- Procedure for mitigation or a release or threatened release to minimize any potential harm or damage to person, property or the environment.
- Evacuation plans and procedures, including immediate notice, for the business site
- Training for all new employees and annual training, including refresher courses, for all employees in safety procedure in the event of a release or threatened release or a hazardous material.
- Earthquake procedures for isolation or inspection

All maps are to be no larger than 8.5 by 11 inches and must be legible.

Facilities that are required to submit emergency response plan and/or map as part of multiple Unified programs may submit one plan for all provided that the plan and map meets the requirements of each applicable program.

CERS WEBSITE
<http://cers.calepa.ca.gov>

Facility Inspections

Each facility will be inspected at least once every three (3) years. Large facilities or facilities with substantial compliance issues may be inspected more frequently.

Revisions and Annual Certification Requirements

State law requires that a HMBP be maintained and updated to reflect revised or new information. Specifically, if any of the following conditions occur after the initial filing of a Business Plan, revisions must be made and submitted to CERS within 30 days of the change:

- Change in business address, business name or ownership.
- 100% or more increase in the quantity of a previously disclosed material.
- Handling of hazardous materials or wastes in reportable quantities that had not been previously reported.
- Change in the facility's operation that would require modification to the HMBP.

Annual Certification is due by March 1 of each year. This is done by re-submittal of the HMBP through the CERS website.
<http://cers.calepa.ca.gov>

All revisions are to be made through the CERS website

Additional Unified Programs

Hazardous Waste

A Hazardous Waste permit is required for any business that generates hazardous waste, *regardless of amount*. Completion of Facility Information is to be submitted through the CERS website. In addition, a Hazardous Waste Stream Identification form, Emergency Response Plan and Site Map is required and can be obtained through this Department. (*HSC Chapter 6.5*)

California Accidental Release Prevention Program

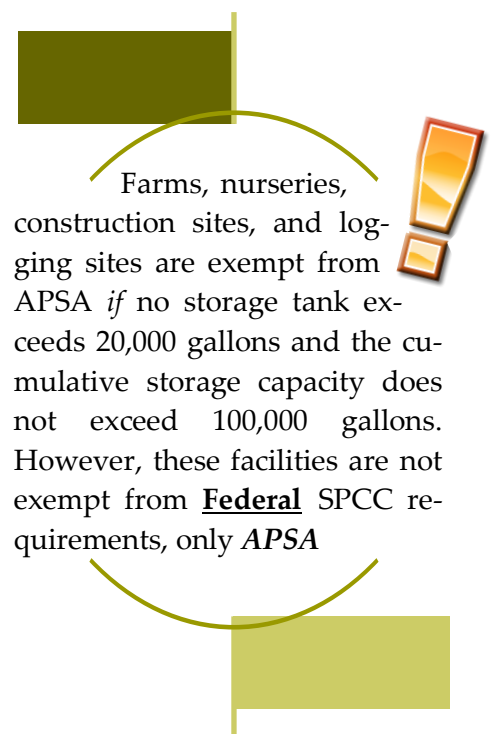
Facilities that store extremely hazardous substances (EHS) are subject to local permitting requirements and are required to complete and submit a Risk Management Plan. Some examples of EHS's include ammonia and gaseous chlorine. (*HSC, Chapter 6.95*)

Underground Storage Tanks

All facilities with underground storage tanks (USTs) are subject to local permitting requirements, except for agricultural UST's and home heating oil tanks with less than 1,100 gallons.. All UST operating permits are issued annually to verify compliance with state laws, regulations, and permit conditions. (*HSC 6.7 and Napa County Code, Chapter 16.20*)

Aboveground Petroleum Storage Act (APSA)

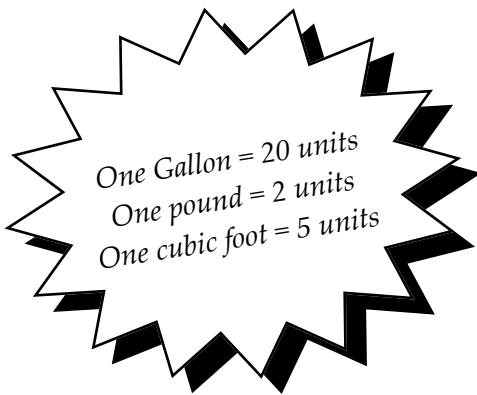
Facilities that store an aggregate quantity of 1320 gallons of petroleum/petroleum products shall submit a annual storage statement to the CUPA, prepare and submit a Spill Prevention Control and Countermeasure (SPCC) Plan, in addition to Business Plan requirements (*HSC, Chapter 6.67*)



Annual Fee Exceptions

1. Underground Storage Tank operators shall pay a reduced fee for a Business Plan if the UST capacity is not more than 40,000 gallons and inventory other than motor vehicle fuels or used oil is not more than 20,000 units. This is in conjunction with a valid UST operating permit.
2. Facilities that do not handle any other hazardous material in a reportable quantity except for a fixed outdoor liquid propane tank with a minimum capacity of 5.5 gallons and a maximum capacity of not more than 1,000 gallons shall pay a one-time registration and inspection fee.
3. Remote, unstaffed facilities which meet the requirements of HSC Chapter 6.95, §25503.5(c)(6)(D) shall pay a one-time registration and inspection fee.
4. Oxygen, nitrogen and nitrous oxide ordinarily maintained by a physician, dentist, podiatrist, veterinarian, or pharmacist, at his or her place of business in quantities of not more than 1,000 cubic feet of each material at any one time shall pay a one-time registration and inspection fee of fifty dollars(\$50) .

Annual Operating Permit, Unified Programs



- HMBP Permit, 1,000-20,000 units
- HMBP Permit, >20,000 units
- HMBP Permit, Above Ground Fuel Tank(s) Only
- Underground Storage Tank Annual Operating Permit
- California Accidental Release Permit
- Small Quantity Hazardous Waste Generator, <27 gallons/month
- Small Quantity Hazardous Waste Generator, >27 gallons/month
- Large Quantity Hazardous Waste Generator, >220 gallons/month
- Aboveground Petroleum Storage, Tier I
- Aboveground Petroleum Storage, Tier II
- Aboveground Petroleum Storage, >10,000 gallons

Plan Check Fee—For new or major revisions to the Plan

Additional Information

Please visit the Department of Planning, Building & Environmental Services (PBES) at Napa County's website:

www.countyofnapa.org

Or call to speak with one of the Inspectors to ask any questions about the various programs or about facility specific requirements.

707-253-4471



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