

LEGISLATIVE SUMMARY

SENATE BILL 1261

HAZMAT BUSINESS PLANS

This bill amends California Health and Safety Code by making certain technical and clarifying changes regarding the Hazardous Materials Disclosure program with specific attention to the Business Plan requirements in the State of California. The provisions in this bill take effect **January 1, 2015**, with certain exceptions noted below, and are enforceable at that time. The provisions in the bill are summarized as follows:

1. Requires that the EPA increase their surcharge each year from January 1, 2015 until January 1, 2018 by an amount necessary to offset operating costs of the California Environmental Reporting System.
2. Revises the new site map implementation deadline found in SB483 to January 1, 2017
3. Inserts language to specifically state the emergency response plans and procedures, the chemical inventory, and the site map shall be readily available to personnel at a business.
4. Requires that compressed gasses be reported in the physical state in which they are stored. If the compressed gas is an extremely hazardous substance, as defined in 40 CFR 355.61, then all amounts shall be reported in pounds.
5. Raises the lower reporting threshold for cryogenic, refrigerated, or compressed gas to 1,000 cubic feet, at standard temperature and pressure, if the gas is any of the following:
 - a. Classified as a hazard only due to simple asphyxiation
 - b. Oxygen, nitrogen, or nitrous oxide when maintained by a physician, dentist, podiatrist, veterinarian, pharmacist, or other EMS provider at their place of business
 - c. Refrigerant gasses, other than ammonia, in a closed cooling system, used for air conditioning or refrigeration
 - d. Gasses used in closed fire suppression systems
6. Exempts certain hazardous materials from Business Plan requirements. Hazardous materials exempted include:
 - a. Compressed air in cylinders, bottles, or tanks used by fire departments and other emergency response organizations
 - b. Fluid in a hydraulic system, if the total amount is less than 1,320 gallons
 - c. Certain oil-filled electrical equipment, if the total amount is less than 1,320 gallons
 - d. On premise use or storage of propane, if the total amount does not exceed 500 gallons and is used for the sole purpose of cooking, heating employee work areas, and heating water within the business
7. Amends exemption requirements for remote facilities, specifically stating that a facility may be considered for a remote exemption if it is located at least one-half mile from the nearest occupied structure.
 - a. Requires a one-time Business Plan to be submitted to the statewide information management system (CERS)
8. Requires the EPA to develop and implement inventory reporting regulations for hazardous materials deemed to be trade secrets
 - a. Businesses must disclose information to the statewide information management system (CERS)

