

HAZARDOUS MATERIALS FARM BUSINESS EXEMPTION FACT SHEET

I. Business Plan Requirements

A Business Plan must be submitted by businesses that handle a hazardous material/waste in quantities equal to or greater than: **55 gallons** of a liquid, **500 pounds** of a solid, and/or **200 cubic feet** of a compressed gas. A Business Plan consists of an Owner/Operator Identification form, Business Activities form, Hazardous Materials forms (for each material handled in excess of the above quantities), a site map and Health and Safety/Emergency Response Plan.

II. A farm business that handles a hazardous material or a mixture in quantities less than these amounts are not required to submit a Hazardous Materials Business Plan:

1. 500 pounds of a solid.
2. 55 gallons of a liquid.
3. 200 cubic feet of a compressed gas at standard temperature and pressure.
4. The federal Threshold Planning Quantity (TPQ) for Extremely Hazardous Substances.
5. Radioactive materials in quantities for which an emergency is required as per Parts 30, 40, or 70, Chapter 10 of Title 10 of Code of Federal Regulations (CFR).

As a general rule a hazardous material is anything that requires an MSDS. Hazardous Materials/Hazardous Wastes include, but are not limited to: oil (new & used), fuel, solvent (new & used), pesticides, compressed gases, paint (new & used), fertilizers, etc.

III. Farm Business Exemption Requirements

To become exempt from filing a Hazardous Materials Business plan a farm may submit a Farm Business Exemption Form Packet.

An administering 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 subdivisions (b) and (c) of Section 25504 if all of the following requirements are met:

(A) The handler annually provides the inventory of information required by Section 25509 to the county agricultural commissioner before January 1 of each year.

(B) Each building in which hazardous materials are stored shall be posted with signs that provide notice of the storage of any of the following:

Pesticides, petroleum fuels and oil or types of fertilizers

(Excerpt from the California Health and Safety Code Div. 20, Chapter 6.95, Sections 25503.5, see actual code for full text)

1. Submit a Form Packet by **January 1st annually** to:
**Fresno County Department of Agriculture
Environmental Protection and Pest Management Division
1730 S. Maple Ave., Fresno, CA 93702.**
2. Post required signs on buildings for pesticides, petroleum fuels and oil or types of fertilizer.

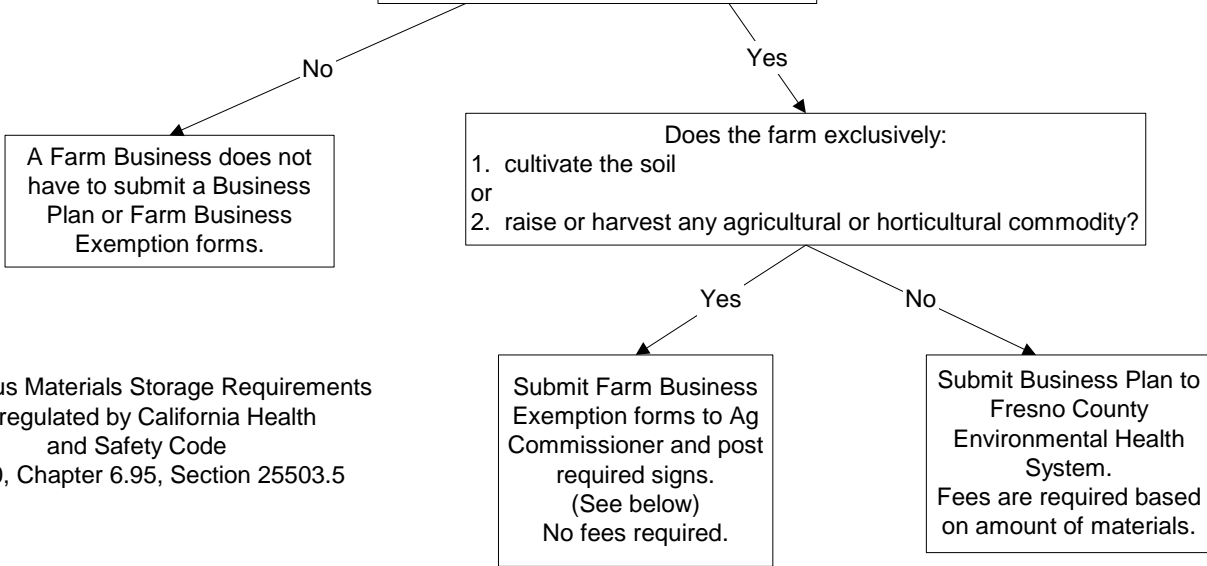
Any business that is required to submit a Business Plan and fails to do so is liable for civil penalties of two thousand dollars (\$2,000) for each day of the violation or five thousand dollars (\$5,000) for each day of the violation after reasonable notice has been given (California Health and Safety Code [H & S Code], Division 20, Chapter 6.95, Sections 25503.5 and 25514).

Please contact the Fresno County Environmental Health System at (559) 445-3271 or the Fresno County Department of Agriculture - Environmental Protection and Pest Management Division at (559) 456-7373 for additional forms or if you have any questions.

Farm Business

Hazardous Materials Storage Requirements

Does Farm Handle Hazardous Materials in Quantities Equal to or Greater Than:
500 Pounds of a Solid
55 Gallons of a Liquid
200 Cubic Feet of a Compressed Gas?



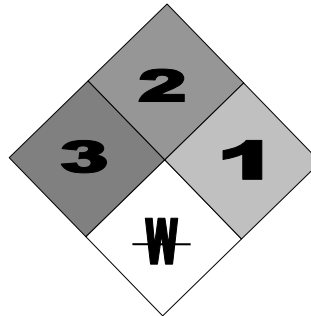
Hazardous Materials Storage Requirements are regulated by California Health and Safety Code Div. 20, Chapter 6.95, Section 25503.5

Required signs

Sign for pesticides



Recommended sign for petroleum fuels, oil and fertilizers



(See NFPA 704 placard guidelines)

Alternate signs for fuels, oils and fertilizers



Other Sign captions: Flammable Liquids, Fuel/Oil, Hazardous Chemicals



Adult Services Department
Children & Family Services Department
Employment & Temporary Assistance Department

Farm Business Exemption “Frequently Asked Questions”

1. “I only have a diesel or gas tank, do I need to submit forms?”

Yes, if you store more than 55 gallons or have any hazardous materials above the threshold amounts listed on the fact sheet.

2. “I have pesticides/hazardous materials on the property for just a couple of days before it is all applied, do I need to submit forms?”

*Yes, if hazardous materials are stored on site for **more than one day** out of the year, there is potential for a release or emergency to occur. Inventory amounts are an estimate of how much hazardous materials will be stored during any time in the coming year (2000lbs of sulfur is dumped on the property and will be there for only a couple of days before it is applied to the soil; show location of hazardous material on the site map; if sulfur is dumped on the ground and not stored in a building – sign postage is not required.)*

3. “I do not apply the pesticides, I hire Britz (or any other contractor) to apply the pesticides for me, do I need to submit any forms?”

*If the farm does not have any other hazardous materials (i.e. diesel or gas tank, etc.) above the thresholds stored on site and the hazardous materials to be applied are in control of a contracted applicator, **NO** Farm Business Exemption forms have to be submitted.*

4. “Where do I get the Farm Exemption forms?”

Our office can mail/fax/ or email them to you.

5. “Where do I send the forms, the Ag dept. said they don’t know anything about the exemption?”

The fact sheet directs the forms be sent to the Ag dept. If they don’t want to send them there, they can send them to us.

6. “I only have 5 gallons of roundup on our farm, do I have to submit the forms?”

7. **NO**, please look at the back of the fact sheet; it says you do not need to submit a Business Plan or Business Exemption forms for quantities less than the threshold amounts.

8. “We are a cemetery (packing house, other business) and received the Farm Business Exemption Forms, do we need to submit forms?”

*If you have hazardous materials above the threshold amounts (i.e. fertilizer, fuel, roundup, etc.), you need to **submit a Business Plan**, you do not meet the definition of a farm operating for the purposes of cultivating the soil or raising or harvesting any ag or horticultural commodity.*

9. “Where can I find the required signs?”

Contact the Ag dept. for the Red “Poison Storage Area” sign. The other signs can be purchased from supply stores that provide Personal Protective Equipments (i.e. gloves, masks, tyvek).

FARM BUSINESS EXEMPTION

Annual Submittal Form

FRESNO COUNTY HUMAN SERVICES SYSTEM-DEPARTMENT OF COMMUNITY HEALTH-ENVIRONMENTAL HEALTH SYSTEM
1221 Fulton Mall, Post Office Box 11867, Fresno, California 93775 (559) 445-3271 Fax (559)445-3301

Page _ of _

I. FACILITY IDENTIFICATION

BUSINESS NAME (Same as Facility Name of DBA-Doing Business As)		EPA ID # (Hazardous Waste Only)
BUSINESS SITE ADDRESS		BUSINESS PHONE
CITY	CA	ZIP CODE

II. BUSINESS OWNER

OWNER NAME		OWNER PHONE
OWNER MAILING ADDRESS		
CITY	STATE	ZIP CODE

III. EMERGENCY CONTACTS

NAME	NAME
TITLE	TITLE
PHONE ()	PHONE ()
24-HOUR PHONE/PAGER # ()	24-HOUR PHONE/PAGER # ()

IV. EXEMPTION

Farm is operated for purposes of cultivating the soil or raising or harvesting any agricultural or horticultural commodity, farm may be exempt from subdivisions (b) and (c) of Section 25504, provided that you meet all of the requirements as per Section 25503.5 of Chapter 6.95 of the H & S Code (amended 1997).

Signs are posted on buildings that provide notice of storage of pesticides, fuels, oils or fertilizers.

CERTIFICATION: I certify under penalty of law that I have personally examined and am familiar with the information submitted and believe the information is true, accurate, and complete.

SIGNATURE OF OWNER/OPERATOR:

DATE:

FARM BUSINESS EXEMPTION

Annual Submittal - Hazardous Materials Inventory Form

FRESNO COUNTY HUMAN SERVICES SYSTEM-DEPARTMENT OF COMMUNITY HEALTH-ENVIRONMENTAL HEALTH SYSTEM
1221 Fulton Mall, Post Office Box 11867, Fresno, California 93775 (559) 445-3271 Fax (559)445-3301

Page _ of _

BUSINESS NAME

BUSINESS SITE ADDRESS

Chemical Name	Common Name	Max. Amount in Units*	Storage Location*

*Max. Amount in Units - Report in lbs., gallons, or cu. ft. Amount reported is the largest quantity located on site at any one time during the year.

*Storage Location - Grid number from the site map can be used to reference storage location.

Attach additional sheets if necessary.

CALIFORNIA ANNOTATED SITE MAP

Business Name:

Site Address:

Map #:

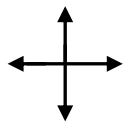
	A	B	C	D	E	F	G	H	I	J
1										
2										
3										
4										
5										
6										
7										

- For Site Map
- Scale of Map
 - Loading Areas
 - Parking Lots
 - Internal Roads
 - Storm and Sewer Drains
 - Adjacent Property Use
 - Locations and Names of Adjacent Streets and Alleys
 - Access and Egress Points and Roads

- For Sub-Site Map
- Scale of Map
 - Location of Each Storage Area
 - Location of Each Hazardous Material Handling Area
 - Location of Emergency Response Equipment

Scale:

1" = _____ Ft.



Indicate Directions
(N, S, E, W)