CONFUSED ABOUT HMBP UPDATES?

You may be out of compliance without realizing it!

Did you know that since 2015 businesses have been required to submit their Hazardous Materials Business Plans (HMBP’s) annually? Not only that, you can no longer submit a partial plan. You must submit the entire plan each year. This means that at least every three-hundred and sixty-five days, you’ll need to check all pages for accuracy and make updates if needed.

Once your plan is up to date, you’ll need to submit each element — at least once per year. If you aren’t already doing this, you’re currently considered to be out of compliance.

So, if you sweated through developing your HMBP, hit the “submit” button and forgot about it for a year or two, now is the time to make an update. Or, if you’ve recently submitted, but haven’t submitted each required element, you’ll also want to get that done as soon as possible.

Our office is required to take enforcement action steps against facilities that haven’t submitted a complete HMBP within the last year. You can avoid the hassle and stress of facing enforcement action, by getting yours done today!

Log on to https://cersbusiness.calepa.ca.gov/ and get started. If you need help or have questions, contact your inspector at (559) 600-3271.
MAKING YOUR HMBP WORK FOR YOU

Some of you may have heard about the recent chemical plant fires in Texas. In Deer Park, TX a fire burned for four days before it could be put out. Residents within a one-mile radius were required to shelter in place. In Crosby, TX an employee was killed and others were injured when a fire erupted at a chemical plant. In both instances nearby businesses and schools were closed because of the potential dangers. You can imagine the horror faced by the communities as well as the potential liabilities to each of these companies.

Did you know that the Hazardous Materials Business Plan (HMBP) Program is designed to prevent this scenario from happening at your facility? Your business plan can help you and your employees prevent potential emergencies before they happen. It can also prepare your staff to take swift action in an emergency or disaster. Your HMBP can even ensure that first responders have access to crucial information in a critical situation such as a release, fire or explosion.

Your business plan can only work for you if it is accurate and updated regularly, so make sure you’re keeping up with your annual submittals. You’ll also want to ensure that your employees are trained to safely handle hazardous materials and are trained regularly on your HMBP. These simple steps can decrease the chances that something like this can happen at your business.

EHAZMAT PORTAL DISCONTINUED

Our local Fresno County eHazmat Portal was discontinued at the end of 2018. Going forward, all HMBP’s will need to be submitted on the California Environmental Reporting System (CERS). CERS (pronounced “sirs”) is a state-run website that will collect the same information that was collected on our local eHazmat Portal. For those of you that used our local eHazmat Portal to submit your HMBP, you probably already know about the changes that have been taking place over the last year.

If you were already reporting on CERS, you won’t be affected by this change. If you were an eHazmat Portal user, and you had an updated 2018 HMBP, chances are your information has already been transferred to CERS for you. Nearly all of the transfers have gone through at this point. If your eHazmat HMBP hadn’t been updated recently, you’ll likely need to start over on CERS.

For those of you that are new to CERS, you can get started by setting up an account at: https://cers.calepa.ca.gov/.

IMPORTANT DATES TO REMEMBER:

Submit the following elements to CERS by the following dates –

- Tiered Permit PBR Notification Forms: March 1st
- EPCRA (EHS or > 10,000 lbs): Jan. 1st – March 1st
- HMBP: Annually (from the date last submitted)
- UST: Annually (from the date last submitted)
NEW TRAINING REQUIREMENT

Training your employees on how to handle a spill, release or even a threatened release is not only a best practice, it's also the law. Now, you'll need to go one step further—you'll need to document that the training took place and keep those records for at least three years. You can store training records electronically or you can keep a hard copy—but you must have some kind of proof that the training happened. You can call our office (559) 600-3271 to request a free Employee Training Record template you can use at your business.
Don't wait until your inspector shows up—get yours now.

RESOURCES ARE AVAILABLE

There are a number of helpful resources that can guide you through the process:

- CERS Video Walkthrough
- Fresno County CERS Page
- CERS Help Page

CHANGES AHEAD!

Back to Fulton Street and new email address

Our building has been repaired and we are back to our Fulton Street location! We are located at 1221 Fulton Street, Fresno, CA 93721 on the 3rd floor.
We have a new email address! Our new email address is: HazMatCUPA@fresnocountyca.gov. In order for our inspectors to respond in a timely manner, please use our new email address.

Going forward, all HMBP’s will need to be submitted on the California Environmental Reporting System (CERS).
RMP AMENDMENTS RULE NOW “IN EFFECT”

Although US EPA delayed the effective date of the Risk Management Plan (RMP) Amendments Rule, the U.S. Court of Appeals ruled against the delay and issued a mandate to restore the original effective date of March 14, 2017. Therefore, the rule is now in effect. However, the rule provides facilities with time to comply with its provisions, and most of the deadlines to comply have not yet lapsed. Below are the six major provisions to be incorporated into 40 CFR Part 68, along with their compliance deadlines:

<table>
<thead>
<tr>
<th>Provision</th>
<th>Comply By:</th>
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<tbody>
<tr>
<td>1.) Third Party Audits</td>
<td>March 15, 2021</td>
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<tr>
<td>2.) Incident Root Cause Analysis</td>
<td>March 15, 2021</td>
</tr>
<tr>
<td>3.) Safer Alternatives Analysis</td>
<td>March 15, 2021</td>
</tr>
<tr>
<td>4.) Coordinating Emergency Response Activities</td>
<td>Effective Now (complete first coordination by March 15, 2021)</td>
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<tr>
<td>5.) Emergency Response Exercises</td>
<td>Complete first exercise by March 15, 2021</td>
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<tr>
<td>6.) Information Sharing</td>
<td>March 15, 2021</td>
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NEWS FROM THE UNDERGROUND

If you own or operate an Underground Storage Tank, you’ll want to be sure you know about the new Overfill Prevention Testing requirement that went into effect in October 2018. This requirement is in place to prevent spills and overfills.

All UST sites were required to have completed their Overfill Prevention Testing by October of 2018. If it hasn’t been conducted by now, it’s currently considered late. Contact your contractor to get this scheduled at your earliest opportunity. Going forward, Overfill Prevention Testing will need to be done every thirty six (36) months. Here’s some more information about the new requirement:

- Overfill Prevention Equipment Inspection Requirements

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