

**DEPARTMENT OF FORESTRY &
FIRE PROTECTION
OFFICE OF THE STATE FIRE MARSHAL**

**LAWS AND REGULATIONS
HAZARDOUS MATERIALS MANAGEMENT PLAN
AND
HAZARDOUS MATERIALS INVENTORY
STATEMENT**

January 2010 Edition



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**California Health and Safety Code
Division 12, Part 2, Chapter 1
Sections 13100-13159.10
State Fire Marshal**

- 13112. Penalty
- 13143. Authority to Adopt Regulations for Prevention of Fire and Protection of Life and Property
- 13143.4 Identification of Fire Hazards of Materials
- 13143.9 Authority to Adopt Minimum Requirements for Storage, Handling, and Use of Hazardous Materials

Note: Refer to the [California Health and Safety Code](#) for complete statutory language regarding the State Fire Marshal's Office authority.

**California Health and Safety Code
Division 12, Part 2, Chapter 1**

Article 1

13112. Penalty

Every person who violates any provision of this chapter, or any order, rule, or regulation made pursuant to this chapter, is guilty of a misdemeanor punishable by a fine of not less than one hundred dollars (\$100) or more than five hundred dollars (\$500), or by imprisonment for not more than six months, or by both.

A person is guilty of a separate offense each day during which he or she commits, continues, or permits a violation of any provision of, or any order, rule, or regulation made pursuant to, this chapter.

Article 2

13143. Authority to Adopt Regulations for Prevention of Fire and Protection of Life and Property

(a) Except as provided in Section 18930, the State Fire Marshal, with the advice of the State Board of Fire Services, shall prepare, adopt, and submit building standards for approval pursuant to Chapter 4 (commencing with Section 18935) of Part 2.5 of Division 13 and shall prepare and adopt other regulations establishing minimum requirements for the prevention of fire, and for the protection of life and property against fire and panic, in any building or structure used or intended for use as an asylum, jail, mental hospital, hospital, home for the elderly, children's nursery, children's home or institution not otherwise excluded from the coverage of this subdivision, school, or any similar occupancy of any capacity, and in any assembly occupancy where 50 or more persons may gather together in a building, room, or structure for the purpose of amusement, entertainment, instruction, deliberation, worship, drinking or dining, awaiting transportation, or education, and for any laboratory or research and development facility that stores, handles, or uses regulated hazardous materials. The State Fire Marshal shall adopt and submit building standards for approval pursuant to Chapter 4 (commencing with Section 18935) of Part 2.5 of Division 13 for the purposes described in this section. Regulations adopted pursuant to this subdivision and building standards relating to fire and panic safety published in the California Building Standards Code shall establish minimum requirements relating to the means of egress and the adequacy of exits from, the installation and maintenance of fire extinguishing and fire alarm systems in, the storage and handling of combustible or explosive materials or substances, and the installation and maintenance of appliances, equipment, decorations, security bars, grills, grates, and furnishings that present a fire, explosion, or panic hazard, and the minimum requirements shall be predicated on the height and fire-resistive qualities of the building or structure and the type of occupancy for which it is to be used. The building standards and other regulations shall apply to auxiliary or accessory buildings used or intended for use with any of the occupancies mentioned in this subdivision. Violation of any building standard or other regulation shall be a violation of this chapter.

In preparing and adopting building standards for approval pursuant to Chapter 4 (commencing with Section 18935) of Part 2.5 of Division 13, and in preparing and adopting other regulations

affecting public schools, the State Fire Marshal shall also secure the advice of the State Department of Education. No regulation adopted by the State Fire Marshal shall conflict with any rule, regulation, or building standard lawfully adopted or enforced by the Department of General Services pursuant to Article 3 (commencing with Section 39140) of Chapter 2 of Part 23 or Article 7 (commencing with Section 81130) of Chapter 1 of Part 49 of the Education Code.

In addition to any other requirements for location of exit signs or devices in any building or structure used or intended for use as an asylum, jail, mental hospital, hospital, home for the elderly, children's nursery, children's home or institution not otherwise excluded from the coverage of this subdivision, school, or any similar occupancy of any capacity, and in any assembly occupancy where 50 or more persons may gather together in a building, room, or structure for the purpose of amusement, entertainment, instruction, deliberation, worship, drinking or dining, awaiting transportation, or education, the State Fire Marshal shall adopt building standards pursuant to this section establishing minimum requirements for the placement of distinctive devices, signs, or other means that identify exits and can be felt or seen near the floor. Exit sign technologies permitted by the model building code upon which the California Building Standards Code is based, shall be permitted. These building standards shall be adopted before July 1, 1998, and shall apply to all newly constructed buildings or structures subject to this subdivision for which a building permit is issued, or construction commenced, if no building permit is issued, on or after January 1, 1989.

13143.4. Identification of Fire Hazards of Materials

The State Fire Marshal shall adopt regulations to authorize National Fire Protection Association 704 Standard System Diamonds, as provided in the 1985 Edition of the National Fire Protection Association 704, Standard System for Identification of Fire Hazards of Materials, be displayed at entrances to buildings and other locations where hazardous materials are stored.

13143.9. Authority to Adopt Minimum Requirements for Storage, Handling, and Use of Hazardous Materials

(a) The State Fire Marshal shall, in carrying out Section 13143, prepare, adopt, and submit building standards and other fire and life safety regulations for approval pursuant to Chapter 4 (commencing with Section 18935) of Part 2.5 of Division 13 establishing minimum requirements for the storage, handling, and use of hazardous materials, as defined, in Article 9 of the 1988 Uniform Fire Code [*now California Fire Code (CFC)*], and any subsequent editions, published by the Western Fire Chiefs Association and the International Conference of Building Officials. The State Fire Marshal shall seek the advice of the Office of Emergency Services [*now California Emergency Management Agency (Cal EMA)*] in establishing these requirements. This section does not prohibit a city, county, or district from adopting an ordinance, resolution, or regulation imposing stricter or more stringent requirements than a standard adopted pursuant to this section.

(b) A business which files the annual inventory form in compliance with Chapter 6.95 (commencing with Section 25500) of Division 20, including the addendum adopted pursuant to Section 25503.9, shall be deemed to have met the requirements of subdivision (c) of Section 80.103 of the Uniform Fire Code [*now § 2701.5.2 (Hazardous Materials Inventory Statement (HMIS)) of the California Fire Code*], as adopted by the State Fire Marshal pursuant to this section.

(c) A business which is not required to file a hazardous materials inventory form pursuant to Section 25509 but which is required by the local fire chief to comply with subdivision (c) of Section 80.103 of the Uniform Fire Code [*now § 2701.5.2 (HMIS) of the California Fire Code*], as adopted by the State Fire Marshal pursuant to this section, shall, notwithstanding Chapter 6.95 (commencing with Section 25500) of Division 20, file the inventory form adopted pursuant to Section 25503.3 and the addendum adopted pursuant to Section 25503.9 with the local fire chief for purposes of complying with this requirement, if determined to be necessary by the fire chief.

**California Health and Safety Code
Division 20, Chapter 6.95, Article 1
Sections 25500-25520
Business and Area Plans**

- 25503 Authority to Adopt Regulations and Standards for Hazardous Materials Business Plans and Area Plans
- 25503.9 Addendum to Hazardous Materials Business Plan
- 25509 Annual Chemical Inventory
- 25509.2 Compliance with California Fire Code, Forwarding of Business Plan to Other Public Health and Safety Agencies/Departments

Note: Refer to the [California Health and Safety Code](#) for complete statutory language on the business plan program or visit [California Emergency Management Agency's Business Plan Web site](#).

**California Health and Safety Code
Division 20, Chapter 6.95, Article 1**

25503. Authority to Adopt Regulations and Standards for Hazardous Materials Business Plans and Area Plans

(a) Not later than September 1, 1986, the office shall adopt, after public hearing and consultation with the office of the State Fire Marshal and other appropriate public entities, regulations for minimum standards for business plans and area plans. All business plans and area plans shall meet the standards adopted by the office.

(b) The standards for business plans in the regulations adopted pursuant to subdivision (a) shall do all of the following:

(1) Set forth minimum requirements of adequacy, and not preclude the imposition of additional or more stringent requirements by local government.

(2) Take into consideration and adjust for the size and nature of the business, the proximity of the business to residential areas and other populations, and the nature of the damage potential of its hazardous materials in establishing standards for subdivisions (b) and (c) of Section 25504.

(3) Take into account the existence of local area and business plans which meet the requirements of this chapter so as to minimize the duplication of local efforts, consistent with the objectives of this chapter.

(4) Define what releases and threatened releases are required to be reported pursuant to Section 25507. The office shall consider the existing federal reporting requirements in determining a definition of reporting releases pursuant to Section 25507.

(c) An administering agency shall establish an area plan for emergency response to a release or threatened release of a hazardous material within its jurisdiction. An area plan is not a statute, ordinance, or regulation for purposes of Section 669 of the Evidence Code. The standards for area plans in the regulations adopted pursuant to subdivision (a) shall provide for all of the following:

(1) Procedures and protocols for emergency rescue personnel, including the safety and health of those personnel.

(2) Preemergency planning.

(3) Notification and coordination of onsite activities with state, local, and federal agencies, responsible parties, and special districts.

(4) Training of appropriate employees.

(5) Onsite public safety and information.

(6) Required supplies and equipment.

(7) Access to emergency response contractors and hazardous waste disposal sites.

(8) Incident critique and followup.

(9) Requirements for notification to the office of reports made pursuant to Section 25507.

(d) The administering agency shall submit a copy of its proposed area plan, within 180 days after adoption of regulations by the office establishing area plan standards, to the office for review.

The office shall notify the administering agency as to whether the area plan is adequate and meets the area plan standards. The administering agency shall within 45 days of this notice submit a corrected area plan.

The administering agency shall certify to the office every three years that it has conducted a complete review of its area plan and has made any necessary revisions. Any time an administering agency makes any substantial changes to its area plan, it shall forward the changes to the office within 14 days after the changes have been made.

(e) An administering agency shall submit to the office, along with its area plan, both of the following:

(1) The basic provisions of a plan to conduct onsite inspections of businesses subject to this chapter by either the administering agency or other designated entity. These inspections shall ensure compliance with this chapter and shall identify existing safety hazards that could cause or contribute to a release and, where appropriate, enforce any applicable laws and suggest preventative measures designed to minimize the risk of the release of hazardous material into the workplace or environment. The requirements of this paragraph do not alter or affect the immunity provided a public entity pursuant to Section 818.6 of the Government Code.

(2) A plan to institute a data management system which will assist in the efficient access to and utilization of information collected under this chapter. This data management system shall be in operation within two years after the business plans are required to be submitted to the administering agency pursuant to Section 25505.

(f) The regulations adopted by the office pursuant to subdivision (a) shall include an optional model reporting form for business and area plans.

25503.9. Addendum to Hazardous Material Reporting Form

On or before January 1, 1995, the office [*now Cal EMA*] shall, in consultation with the administering agencies and the State Fire Marshal, adopt by regulation, a single comprehensive addendum to the hazardous materials reporting form for businesses to submit to administering agencies for purposes of complying with subdivisions (b) and (c) of Section 13143.9 and subdivision (b) of Section 25509.

The regulations shall also specify criteria for sharing data electronically. Not later than two years after the effective date of those regulations, and annually thereafter, each administering agency shall require businesses to use that addendum when complying with subdivisions (b) and (c) of Section 13143.9 and subdivision (b) of Section 25509. The addendum shall be filed with the administering agency, when required by the local fire chief.

25509. Annual Chemical Inventory

(a) The annual inventory form shall include, but shall not be limited to, information on all of the following which are handled in quantities equal to or greater than the quantities specified in subdivision (a) of Section 25503.5:

(1) A listing of the chemical name and common names of every hazardous substance or chemical product handled by the business.

(2) The category of waste, including the general chemical and mineral composition of the waste listed by probable maximum and minimum concentrations, of every hazardous waste handled by the business.

(3) A listing of the chemical name and common names of every other hazardous material or mixture containing a hazardous material handled by the business which is not otherwise listed pursuant to paragraph (1) or (2).

(4) The maximum amount of each hazardous material or mixture containing a hazardous material disclosed in paragraphs (1), (2), and (3) which is handled at any one time by the business over the course of the year.

(5) Sufficient information on how and where the hazardous materials disclosed in paragraphs (1), (2), and (3) are handled by the business to allow fire, safety, health, and other appropriate personnel to prepare adequate emergency responses to potential releases of the hazardous materials.

(6) The SIC Code number of the business if applicable.

(7) The name and phone number of the person representing the business and able to assist emergency personnel in the event of an emergency involving the business during nonbusiness hours.

(b) If the local fire chief requires the business to comply with the requirements of subdivision (c) of Section 80.103 of the Uniform Fire Code [*now § 2701.5.2 of the California Fire Code*], as adopted by the State Fire Marshal pursuant to Section 13143.9, the business shall also file the addendum¹ required by Section 25503.9 with the administering agency.

(c) The administering agency may permit the reporting of the amount of hazardous material under this section by ranges, rather than a specific amount, as long as those ranges provide the information necessary to meet the needs of emergency rescue personnel, to determine the potential hazard from a release of the materials, and meets the purposes of this chapter.

(d) (1) Except as provided in subdivision (e), the annual inventory form required by this section shall also include all inventory information required by Section 11022 of Title 42 of the United States Code, as that section read on January 1, 1989, or as it may be subsequently amended.

(2) The office may adopt or amend existing regulations specifying the inventory information required by this subdivision.

(e) If, pursuant to federal law or regulation, as it currently exists or as it may be amended, there is a determination that the inventory information required by subdivisions (a) and (c) is substantially equivalent to the inventory information required under the Emergency Planning and Community Right-to-Know Act of 1986 (42 U.S.C. Sec. 11001 et seq.), the requirements of subdivision (d) shall not apply.

25509.2. Compliance with California Fire Code, Forwarding of Business Plan to Other Public Health and Safety Agencies/Departments

(a) The Legislature hereby finds and declares all of the following:

(1) Persons attempting to do business in this state are increasingly experiencing excessive and duplicative regulatory requirements at different levels of government.

(2) To streamline and ease the regulatory burdens of doing business in this state, compliance with the hazardous materials release response plans and inventory requirements of this chapter shall also suffice to meet the requirements of the Uniform Fire Code [*now California Fire Code*] with regard to the requirement for a hazardous materials management plan and hazardous

¹ The legislative intent of the “Addendum” is to collect and provide additional locally collected information, which may be required by the fire chief to meet the fire code Hazardous Materials Management Plan (HMMP)/Hazardous Materials Inventory Statement (HMIS) requirements. Additional requirements may include information on all hazardous materials, regardless of amount. This information may be necessary for emergency response and/or building occupancy determination. Check with your local fire chief for additionally required information.

materials inventory statement, as set forth in Article 80 of the Uniform Fire Code [*now chapter 27 of the California Fire Code*] and its appendices.

(3) Businesses which are required to comply with this chapter do so on one form, with one fee and one inspection. The administering agency shall forward the data collected, within 15 days of receipt and confirmation, with other local agencies in a format easily interpreted by those agencies with shared responsibilities for protection of the public health and safety and the environment.

(4) Enforcement of this chapter and the Uniform Fire Code [*now California Fire Code*] shall be coordinated.

(b) Notwithstanding Section 13143.9, and any standards and regulations adopted pursuant to that section, any business which files the annual inventory form in compliance with this article, including the addendum adopted pursuant to Section 25503.9, as required by the local fire chief to comply with subdivision (c) of Section 80.103 of the Uniform Fire Code [*now § 2701.5.2 of the California Fire Code*], as adopted by the State Fire Marshal pursuant to Section 13143.9, shall be deemed to have met the requirements of subdivision (c) of Section 80.103 of the Uniform Fire Code [*now § 2701.5.2 of the California Fire Code*], as adopted by the State Fire Marshal pursuant to Section 13143.9.²

(c) Notwithstanding Section 13143.9, and any standards and regulations adopted pursuant to that section, any business which establishes and maintains a business plan for emergency response to a release or a threatened release of a hazardous material in accordance with Section 25503.5, shall be deemed to have met the requirements of subdivision (b) of Section 80.103 of the Uniform Fire Code [*now CFC § 2701.5.1 (Hazardous Materials Management Plan (HMMP))*], as adopted by the State Fire Marshal pursuant to Section 13143.9.

(d) Except for the addendum required by the local fire chief, the administering agency shall be the sole enforcement agency for purposes of determining compliance pursuant to subdivisions (b) and (c).

(e) Except as otherwise expressly provided in this section, this section does not affect or otherwise limit the authority of the local fire chief to enforce the Uniform Fire Code [*now California Fire Code*].

² Any business that files the annual inventory in compliance with the Business Plan requirements, including the *Addendum*, complies with CFC 2701.5.2 (HMIS).

**California Code of Regulations
Title 19, Division 2, Chapter 4, Article 4
Sections 2729-2732
Minimum Standards for Business Plans**

2729.7 California Fire Code Compliance Requirements

Appendix A Minimum Standards for Business Plans Hazardous Materials Inventory Forms

Note: For complete language of the business plan regulations, visit [California Emergency Management Agency's Business Plan Web site](#) or the [California Code of Regulations Web site](#).

**California Code of Regulations
Title 19, Division 2, Chapter 4, Article 4**

2729.7. California Fire Code Compliance Requirements

(a) The requirement of Section 25503.9 of the Health and Safety Code to obligate administering agencies to require businesses to submit an addendum with the inventory of hazardous materials when complying with Sections 13143.9(b) and (c) and Section 25509(b) of the Health and Safety Code shall be met by complying with the requirements of Section 2729.2.

- (1) If the local fire chief requires submittal of a Hazardous Materials Inventory Statement (HMIS) as stated in the California Fire Code Section 2701.5.2, then the fire code hazard classes shall be identified on the chemical description page.
- (2) The hazardous material inventory specified in section 2729.2 shall be submitted in lieu of an HMIS.

**Appendix A
Minimum Standards for Business Plans Hazardous Materials Inventory Forms**

III. Hazardous Materials – Chemical Description Page

210. Fire Code Hazard Class

Fire Code Hazard Classes describe to first responders the type and level of hazardous materials which a business handles. This information shall only be provided if the local fire chief deems it necessary and requests the CUPA or AA to collect it. A list of the hazard classes and instructions on how to determine which class a material falls under are included in Appendix H of Title 24, Part 9 of the California Fire Code. (See section 2701.5.2 of Title 24, Part 9, of the California Fire Code). If a material has more than one applicable hazard class, include all. Contact CUPA or AA for guidance.³

³ “CUPA” stands for Certified Unified Program Agency.” “AA” is the administering agency, which is synonymous with CUPA. Information on determining the fire code hazard class may be found in Appendix E of Title 24, Part 9 of the California Fire Code.

**California Code of Regulations
Title 24, Part 9
California Fire Code**

- 1.11.2.1.3 Penalty
- 2701.5.1 Hazardous Materials Management Plan
- 2701.5.2 Hazardous Materials Inventory Statement
- Appendix H Sample Hazardous Materials Management Plan and Hazardous Materials Inventory Statement

**California Code of Regulations
Title 24, Part 9
California Fire Code**

Chapter 27

1.11.2.1.3. Penalty

Pursuant to Health and Safety Code Section 13112, any person who violates any order, rule or regulation of the State Fire Marshal is guilty of a misdemeanor punishable by a fine of not less than \$100.00 or more than \$500.00, or by imprisonment for not less than six months, or by both. A person is guilty of a separate offense each day during which he or she commits, continues or permits a violation of any provision of, or any order, rule or regulation of, the State Fire Marshal as contained in this code.

Any inspection authority, who in the exercise of his or her authority as a deputy State Fire Marshal, causes any legal complaints to be filed or any arrest to be made shall notify the State Fire Marshal immediately following such action.

2701.5.1. Hazardous Materials Management Plan (HMMP)

Where required by the fire code official, an application for a permit shall include an HMMP. The HMMP shall include a facility site plan designating the following:

1. Access to each storage and use area.
2. Location of emergency equipment.
3. Location where liaison will meet emergency responders.
4. Facility evacuation meeting point locations.
5. The general purpose of other areas within the building.
6. Location of all above-ground and underground tanks and their appurtenances including, but not limited to, sumps, vaults, below-grade treatment systems and piping.
7. The hazard classes in each area.
8. Locations of all control areas and Group H occupancies.
9. Emergency exits.

The HMMP shall comply with Health and Safety Code, Chapter 6.95, Sections 25500 through 25545, and Title 19, Division 2, Chapter 4.

2701.5.2. Hazardous Materials Inventory Statement (HMIS)

Where required by the fire code official, an application for a permit shall include an HMIS, such as the Superfund Amendments and Reauthorization Act of 1986 Title III (SARA), Tier II Report, or other approved statement. The HMIS shall include the following information:

1. Product name.
2. Component.
3. Chemical Abstract Service (CAS) number.
4. Location where stored or used.
5. Container size.

6. Hazard classification.
7. Amount in storage.
8. Amount in use-closed systems.
9. Amount in use-open systems.

The HMIS shall comply with Health and Safety Code, Chapter 6.95, Sections 25500 through 25545, and Title 19, Division 2, Chapter 4.

Appendix H. Sample HMMP and HMIS

Section H1 – Scope

H1.1. Scope

Hazardous Materials Inventory Statements (HMIS) and Hazardous Materials Management Plans (HMMP) which are required by the chief pursuant to Chapter 27 shall be provided for hazardous materials in accordance with Appendix H.

Exceptions:

1. Materials which have been satisfactorily demonstrated not to present a potential danger to public health, safety or welfare, based upon the quantity or condition of storage, when approved.
2. Chromium, copper, lead, nickel and silver need not be considered hazardous materials for the purposes of Appendix H unless they are stored in a friable, powdered or finely divided state.

Proprietary and trade secret information shall be protected under the laws of the state or jurisdiction having authority.

Section H2 – Hazardous Materials Inventory Statements (HMIS)

H2.1. When required

A separate HMIS shall be provided for each building, including its appurtenant structures, and each exterior facility in which hazardous materials are stored.

The hazardous materials inventory statement shall list by hazard class all hazardous materials stored. The hazardous materials inventory statement shall include the following information for each hazardous material listed:

1. Hazard class.
2. Common or trade name.
3. Chemical name, major constituents and concentrations if a mixture. If a waste, the waste category.
4. Chemical Abstract Service number (CAS number) found in 20 Code of Federal Regulations (C.F.R.).
5. Whether the material is pure or a mixture, and whether the material is a solid, liquid or gas.
6. Maximum aggregate quantity stored at any one time.
7. Storage conditions related to the storage type, temperature and pressure.

H2.2. Changes to HMIS

An amended HMIS shall be provided within 30 days of the storage of any hazardous materials which changes or adds a hazard class or which is sufficient in quantity to cause an increase in the quantity which exceeds 5 percent for any hazard class.

Section H3 – Hazardous Materials Management Plans (HMMP)

H3.1. General

Applications for a permit to store hazardous materials shall include an HMMP standard form or short form in accordance with Section H3.3 and shall provide a narrative description of the operations and processes taking place at the facility. See Figure H-3.

H3.2. Information required

The HMMP standard form shall include the information detailed in Section H3.2.

H3.2.1. General information

General information, including business name and address, emergency contacts, business activity, business owner or operator, SIC code, number of employees and hours, Dunn and Bradstreet number, and signature of owner, operator or designated representative.

H3.2.2. General site plan

A general site plan drawn at a legible scale which shall include, but not be limited to, the location of buildings, exterior storage facilities, permanent access ways, evacuation routes, parking lots, internal roads, chemical loading areas, equipment cleaning areas, storm and sanitary sewer accesses, emergency equipment and adjacent property uses. The exterior storage areas shall be identified with the hazard class and the maximum quantities per hazard class of hazardous materials stored. When required by the chief, information regarding the location of wells, flood plains, earthquake faults, surface water bodies and general land uses within 1 mile (1,609 km) of the facility boundaries shall be included.

H3.2.3. Building floor plan

A building floor plan drawn to a legible scale which shall include, but not be limited to, hazardous materials storage areas within the building and shall include rooms, doorways, corridors, means of egress and evacuation routes. Each hazardous materials storage facility shall be identified by a map key which lists the individual hazardous materials, their hazard class and quantity present for each area.

H3.2.4. Hazardous materials handling

Information showing that activities involving the handling of hazardous materials between the storage areas and manufacturing processes on site are conducted in a manner to prevent the accidental release of such materials.

H3.2.5. Chemical capability and separation

Information showing procedures, controls, signs or other methods used to ensure separation and protection of stored materials from factors which could cause accidental ignition or reaction of ignitable, reactive or incompatible materials in each area.

H3.2.6. Monitoring program

Information including, but not limited to, the location, type, manufacturer's specifications, if applicable, and suitability of monitoring methods for each storage facility when required.

H3.2.7. Inspection and record keeping

Schedules and procedures for inspecting safety and monitoring and emergency equipment. The permittee shall develop and follow a written inspection procedure acceptable to the chief for inspecting the facility for events or practices which could lead to unauthorized discharges of hazardous materials. Inspections shall be conducted at a frequency appropriate to detect problems prior to a discharge. An inspection check sheet shall be developed to be used in conjunction with routine inspections. The check sheet shall provide for the date, time and location of inspection; note problems and dates and times of corrective actions taken; and include the name of the inspector and the countersignature of the designated safety manager for the facility.

H3.2.8. Employee training

A training program appropriate to the types of quantities of materials stored or used shall be conducted to prepare employees to safety⁴ handle hazardous materials on a daily basis and during emergencies.

The training program shall include:

1. Instruction in safe storage and handling of hazardous materials, including maintenance of monitoring records;
2. Instruction in emergency procedures for leaks, spills, fires or explosions, including shutdown of operations and evacuation procedures; and
3. Record-keeping procedures for documenting training given to employees.

H3.2.9. Emergency response

A description of facility emergency procedures is to be provided.

H3.3. HMMP Short Form – (Minimal Storage Site)

A facility shall qualify as a minimal storage site if the quantity of each hazardous material stored in one or more facilities in an aggregate quantity for the facility is 500 pounds (227 kg) or less for solids, 55 gallons (208.2 L) or less for liquids, or 200 cubic feet (5.7 m³) or less at NTP for compressed gases and does not exceed the threshold planning quantity as listed in 40 C.F.R., Part 355, Sections 302 and 304. The applicant for a permit for a facility which qualifies as a minimal storage site is allowed to file the short form HMMP. Such plan shall include the following components:

1. General facility information.
2. A simple line drawing of the facility showing the location of storage facilities and indicating the hazard class or classes, and physical state of the hazardous materials being stored.

⁴ "Safety" is a typographical error in the 2010 California Fire Code. The word should be "safely."

3. Information describing that the hazardous materials will be stored and handled in a safe manner and will be appropriately contained, separated and monitored.
4. Assurance that security precautions have been taken, employees have been appropriately trained to handle the hazardous materials and react to emergency situations, adequate labeling and warning signs are posted, adequate emergency equipment is maintained, and the disposal of hazardous materials will be in an appropriate manner.

Section H4 – Maintenance of Records

H4.1. Records Maintenance

Hazardous materials inventory statements and hazardous materials management plans shall be maintained by the permittee for a period of not less than three years after submittal of updated or revised versions. Such records shall be made available to the chief upon request.

FIGURE H3
SAMPLE FORMAT
HAZARDOUS MATERIALS MANAGEMENT PLAN (HMMP) INSTRUCTIONS

SECTION I — FACILITY DESCRIPTION

1.1. Part A

1. Fill out Items 1 through 11 and sign the declaration.
2. Only Part A of this section is required to be updated and submitted annually, or within 30 days of a change.

1.2. Part B - General Facility Description (Site Plan)

1. Provide a site plan on 8 1/2- by 11-inch (215 mm by 279 mm) paper, using letters on the top and bottom margins and numbers on the right and left side margins, showing the location of all buildings, structures, chemical loading areas, parking lots, internal roads, storm and sanitary sewers, wells and adjacent property uses. Indicate the approximate scale, northern direction and date the drawing was completed.
2. List all special land uses within 1 mile (1,609 km).

1.3. Part C - Facility Storage Map (Confidential Information)

1. Provide a site plan on 8 1/2- by 11-inch (215 mm by 279 mm) paper, using letters on the top and bottom margins and numbers on the right and left side margins, with approximate scale and northern direction, showing the location of each storage area. Mark map clearly “Confidential - Do not disclose” for trade-secret information as specified by federal, state and local laws.
2. Identify each storage area with an identification number, letter, name or symbol.
3. Show the following:
 - 3.1. Accesses to each storage area
 - 3.2. Location of emergency equipment
 - 3.3. The general purpose of other areas within the facility
 - 3.4. Location of all above-ground and underground tanks to include, sumps, vaults, below-grade treatment systems, piping, etc.
4. Map key. Provide the following on the map or in a map key or legend for each storage area:
 - 4.1. A list of hazardous materials, including wastes
 - 4.2. Hazard class of each hazardous waste
 - 4.3. The maximum quantity for hazardous materials
 - 4.4. Include the contents and capacity limit of all tanks at each area and indicate whether they are above or below ground
 - 4.5. List separately any radioactives, cryogenics and compressed gases for each facility
 - 4.6. Trade-secret information shall be listed as specified by federal, state and local laws

FIGURE H3 (Continued)

SECTION II — HAZAROUS MATERIALS INVENTORY STATEMENT (HMIS)

2.1. Part A - Declaration

Fill out all appropriate information.

2.2. Part B - Inventory Statement

1. You must complete a separate inventory statement for all waste and nonwaste hazardous materials. List all hazardous materials in alphabetical order by hazard class.

2.3. Inventory Statement Instructions:

Column	Information Required
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1. Provide hazard class for each material.
2. Nonwaste. Provide the common or trade name of the regulated material. Waste. In lieu of trade names, you may provide the waste category.
3. Provide the chemical name and major constituents and concentrations, if a mixture.
4. Enter the chemical abstract service number (CAS number) found in 29 C.F.R. For mixtures, enter the CAS number of the mixture as a whole if it has been assigned a number distinct from its constituents. For a mixture that has no CAS number, leave this item blank or report the CAS numbers of as many constituent chemicals as possible.
5. Enter the following descriptive codes as they apply to each material. You may list more than one code, if applicable.

P = Pure

M = Mature⁵

S = Solid

L = Liquid

G = Gas

6. Provide the maximum aggregate quantity of each material handled at any one time by the business. For underground tanks, list the maximum volume [in gallons (liters)] of the tank.

6.2. Enter the estimated average daily amount on site during the past year.⁶

7. Enter the units used in Column 6 as:

LB = Pounds

GA = Gallons

CF = Cubic Feet

8. Enter the number of days that the material was present on site (during the last year).

9. Enter the storage codes below for type, temperature and pressure.

Type

A = Above-ground Tank

B = Below-ground Tank

C = Tank inside Building

D = Steel Drum

E = Plastic or nonmetallic⁷ Drum

F = Can

⁵ “Mature” is a typographical error in the 2010 California Fire Code. The letter “M” stands for “Mixture.”

⁶ Item “6.2” is a typographical error in the 2007 California Fire Code. There is no item “6.1.”

⁷ “Nonmetallic” is a typographical error in the 2010 California Fire Code; this should be spelled “nonmetallic.”

FIGURE H3 (Continued)

G = Carboy
H = Silo
I = Fiber Drum
J = Bag
K = Box
L = Cylinder
M = Glass Bottle or Jug
N = Plastic Bottles or Jugs
O = Tote Bin
P = Tank Wagon
Q = Rail Car
R = Other

Temperature

4 = Ambient
5 = Greater than ambient, but not cryogenic [less than -150°F (-101.1°C)]
6 = Less than Ambient
7 = Cryogenic conditions [less than -150°F (-101.1°C)]

Pressure

1 = Ambient (atmospheric)
2 = Greater than ambient (atmospheric)
3 = Less than ambient (atmospheric)

10. For each material listed, provide the SARA hazard class as listed below. You may list more than one class. These categories are defined in 40 C.F.R. 370.3.

Physical Hazards

F = Fire
P = Sudden release of pressure
R = Reactivity

Health Hazards

I = Immediate (acute)
D = Delayed (chronic)

11. **Waste Only.** For each waste, provide the total estimated amount of hazardous waste handled throughout the course of the year.

FIGURE H3 (Continued)

SECTION III — SEPARATION AND MONITORING

3.1. Part A - Above-ground

Fill out items 1 through 6, or provide similar information for each storage area shown on the facility map. Use additional sheets as necessary.

3.2. Part B - Under-ground

1. Complete a separate page for each underground tank, sump, vault, below-grade treatment system, etc.
2. Check the type of tank and method(s) that applies to your tank(s) and piping, and answer the appropriate questions. Provide any additional information in the space provided or on a separate sheet.

SECTION IV — WASTE DISPOSAL

Check all that apply and list the associated wastes for each method checked.

SECTION V — RECORD KEEPING

Include a brief description of your inspection procedures. You are also required to keep an inspection log and recordable discharge log, which are designed to be used in conjunction with routine inspections for all storage facilities or areas. Place a check in each box that describes your forms. If you do not use the sample forms, provide copies of your forms for review and approval.

SECTION VI — EMERGENCY-RESPONSE PLAN

1. This plan should describe the personnel, procedures and equipment available for responding to a release or threatened release of hazardous materials that are stored, handled or used on site.
2. A check or a response under each item indicates that a specific procedure is followed at the facility, or that the equipment specified is maintained on site.
3. If the facility maintains a more detailed emergency-response plan on site, indicate this in Item 5. This plan shall be made available for review by the inspecting jurisdiction.

SECTION VII — EMERGENCY-RESPONSE TRAINING PLAN

1. This plan should describe the basic training plan used at the facility.
2. A check in the appropriate box indicates the training is provided or the records are maintained.
3. If the facility maintains a more detailed emergency-response training plan, indicate this in Item 4. This plan shall be made available for review by the inspecting jurisdiction.

FIGURE H3 (Continued)

**HAZARDOUS MATERIALS MANAGEMENT PLAN
SECTION I: FACILITY DESCRIPTION**

PART A - GENERAL INFORMATION

1. Business Name: _____ Phone: _____
Address: _____

2. Person Responsible for the Business:

Name	Title	Home Number	Work Number
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

3. Emergency Contacts: _____

4. Person Responsible for the Application/Principal Contact:

Name	Title	Phone
_____	_____	_____

5. Property Owner:

Name	Address	Phone
_____	_____	_____

6. Principal Business Activity: _____

7. Number of Employees: _____

8. Number of Shifts: _____

9. Hours of Operation: _____

10. SIC Code: _____

11. Dunn and Bradstreet Number: _____

12. Declaration

I certify that the information above and on the following parts is true and correct to the best of my knowledge.

Signature: _____ Date: _____

Print Name: _____ Title: _____

(must be signed by owner/operator or designated representative)

**PART B - GENERAL FACILITY
DESCRIPTION/SITE PLAN**

(Use grid format above)⁸

Special land uses within 1 mile (1,609 km): _____

PART C - FACILITY MAP

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	
1														1	
2														2	
3														3	
4														4	
5														5	
6														6	
7														7	
8														8	
9														9	
10														10	
11														11	
12														12	
13														13	
14														14	
15														15	
16														16	
17														17	
	A	B	C	D	E	F	G	H	I	J	K	L	M	N	

BUSINESS NAME	DATE
ADDRESS CITY	PAGE _____ OF _____

(Use grid format above)

⁸ Use the grid format shown in Part C.

FIGURE H3 (Continued)

**SECTION II: HAZARDOUS MATERIALS INVENTORY STATEMENT
PART A - DECLARATION**

- 1. Business Name: _____
- 2. Address: _____
- 3. Declaration: _____

Under penalty of perjury, I declare the above and subsequent information, provided as part of the hazardous materials inventory statement, is true and correct.

Signature: _____ Date: _____

Print Name: _____ Title: _____

(Must be signed by owner/operator or designated representative.)

PART B - HAZARDOUS MATERIALS INVENTORY STATEMENT

(1) HAZARD CLASS	(2) COMMON/ TRADE NAME	(3) CHEMICAL NAME, COMPONENTS, AND CONCENTRATION	(4) CHEMICAL ABSTRACT SERVICE NO.	(5) PHYSICAL STATE	(6) MAXIMUM QUANTITY ON HAND AT ANY TIME	(7) UNITS	(8) DAYS ON SITE	(9) STORAGE CODE (TYPE, PRES, TEMP.)	(10) SARA CLASS	(11) ANNUAL WASTE THROUGH PUT
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FIGURE H3 (Continued)

**SECTION III: SEPARATION, SECONDARY CONTAINMENT AND MONITORING
PART A - ABOVE-GROUND STORAGE AREAS**

Storage area identification (as shown on facility map): _____

1. Storage Type:

_____ Original containers	_____ Safety cans
_____ Inside machinery	_____ Bulk tank
_____ 55-gallon (208.2 L)	_____ Outside barrels
_____ Drums or storage Shed	
_____ Pressurized vessel	
_____ Other: _____	

2. Storage Location:

_____ Inside building	_____ Outside building
_____ Secured	

3. Separation:

_____ All materials	_____ One-hour separation
_____ Compatible wall/partition	
_____ Separated by 20 feet (6096 mm)	_____ Approved cabinets
_____ Other: _____	

4. Secondary Containment:

_____ Approved cabinet	_____ Secondary drums
_____ Tray	_____ Bermed, coated floor
_____ Vaulted tank	_____ Double-wall tank
_____ Other: _____	

5. Monitoring:

_____ Visual	_____ Continuous
_____ Other: _____	

Attach specifications if necessary.

6. Monitoring Frequency:

_____ Daily	_____ Weekly
_____ Other: _____	

Attach specifications if necessary.

FIGURE H3 (Continued)

**SECTION III: SEPARATION, CONTAINMENT AND MONITORING
PART B - UNDERGROUND**

SINGLE-WALL TANKS AND PIPING

Tank Area Identification (as shown on facility map):

1. _____ Backfill vapor wells

Model and Manufacturer: _____

Continuous or Monthly Testing: _____

2. _____ Groundwater monitoring wells

3. _____ Monthly precision tank test

4. _____ Piping-

Monitoring Method: _____

Frequency: _____

5. _____ Other: _____

DOUBLE-WALL TANKS AND PIPING

Tanks Area Identification (as shown on facility map): _____

1. Method of monitoring the annular space: _____

2. Frequency:

_____ Continuous _____ Daily _____ Weekly

_____ Other: _____

3. List the type of secondary containment for piping: _____

4. List the method of monitoring the secondary containment for piping: _____

5. Are there incompatible materials within the same vault?

_____ Yes _____ No

If yes, how is separate secondary containment provided? _____

Note: If you have continuous monitoring equipment, you shall maintain copies of all service and maintenance work. Such reports shall be made available for review on site, and shall be submitted to the fire prevention bureau upon request. Attach additional sheets as necessary.

FIGURE H3 (Continued)

SECTION IV: WASTE DISPOSAL

_____ Discharge to the Sanitary Sewer-Wastes: _____
_____ Pretreatment-Wastes: _____

_____ Licensed Waste Hauler –
Recycle-Wastes: _____ Wastes: _____

_____ Other-
Describe Method: _____
Wastes: _____

_____ No Waste

SECTION V: RECORD KEEPING

Description of our inspection program: _____

_____ We will use the attached forms in our inspection program.
_____ We will not use the sample forms. We have attached a copy of our own forms.

SECTION VI: EMERGENCY RESPONSE PLAN

1. In the event of an emergency, the following shall be notified:

A. On-site Responders:

Name	Title	Phone
_____	_____	_____
_____	_____	_____

B. Method of Notification to Responder:

_____ Automatic Alarm _____ Phone
_____ Manual Alarms _____ Verbal
_____ Other: _____

FIGURE H3 (Continued)

C. Agency Phone Number

Fire Department:
State Office of Emergency⁹:
Services:
Other:

2. Designated Local Emergency Medical Facility:

Name	Address	Phone (24 hours)
-------------	----------------	-------------------------

3. Mitigation Equipment:

A. Monitoring Devices:

_____ Toxic or flammable gas detection
_____ Fluid detection
_____ Other: _____

B. Spill Containment:

_____ Absorbents¹⁰ _____ Other: _____

C. Spill Control and Treatment:

_____ Vapor Scrubber	_____ Mechanical Ventilation
_____ Pumps/vacuums	_____ Secondary Containment
_____ Neutralizer	_____ Other: _____

4. Evacuation:

_____ Immediate area evacuation routes posted
_____ Entire building evacuation procedures developed
_____ Assembly areas preplanned
_____ Evacuation maps posted
_____ Other: _____

5. Supplemental hazardous materials emergency response plan on site.

Location: _____
Responsible Person: _____
Phone: _____

⁹ The "State Office of Emergency Services" is now called the "California Emergency Management Agency."

¹⁰ The word "absorbants" is a typographical error in the 2010 California Fire Code; it should be spelled "absorbents."

FIGURE H3 (Continued)

SECTION VII: EMERGENCY-RESPONSE TRAINING PLAN

1. Person responsible for the emergency-response training plan:

Name	Title	Phone
_____	_____	_____

2. Training Requirements:

A. All employees trained in the following as indicated:

- _____ Procedures for internal alarm/notification
- _____ Procedures for notification of external emergency-response organization
- _____ Location and content of the emergency-response plan

B. Chemical handlers are trained in the following as indicated:

- _____ Safe methods for handling and storage of hazardous materials
- _____ Proper use of personal protective equipment
- _____ Locations and proper use of fire- and spill-control equipment
- _____ Specific hazards of each chemical to which they may be exposed

C. Emergency-response team members are trained in the following:

- _____ Procedures for shutdown of operation
- _____ Procedures for using, maintaining and replacing facility emergency and monitoring equipment

3. The following records are maintained for all employees:

- _____ Verification that training was completed by the employee
- _____ Description of the type and amount of introductory and continuing training
- _____ Documentation on and description of emergency-response drills conducted at the facility.

4. A more comprehensive and detailed emergency-response training plan is maintained on site.

Location: _____

Responsible Person: _____

Phone: _____

**California Code of Regulations
Title 27, Division 3, Subdivision 1, Chapter 2
Hazardous Materials**

Data Dictionary – Unified Program Consolidated Form

Hazardous Materials: Hazardous Materials Inventory – Chemical Description					
ID	ELEMENT	Edit Criteria	Length	Type	Information
210	Fire Code Hazard Classes	Narrative	60	AN	May be required by the CUPA. ¹¹ Fire Code Hazard Classes describe to first responders the type and level of hazardous materials which a business handles. A list of the various hazard classes and instructions on how to determine which class a material falls under are included in the appendices of the Uniform Fire Code Article 80 [now <i>California Fire Code chapter 27</i>]. If a material has more than one applicable hazard class, include all. Contact CUPA for guidance.

Note: For complete language of the Unified Program data dictionary regulations, visit the [California Code of Regulations Web site](#).

¹¹ The statutes and regulations use several different phrases with respect to the “requirement” for the fire code hazard class on the hazardous materials inventory. Language such as: “if required by the fire chief,” “if required by the CUPA,” “when required by the chief,” and “if the local fire chief requires submittal of a HMIS, then the fire code hazard classes shall be identified on the chemical description page.” Because the fire code hazard class is a requirement in § 2701.5.2 of chapter 27 of the California Fire Code and to encourage coordination and communication between the CUPA and the fire agencies, as well as providing vital information to first responders, the Office of the State Fire Marshal recommends that this information be included on line 210 of the Unified Program Consolidated Form Hazardous Materials Inventory – Chemical Description. Information on determining the fire code hazard class may be found in Appendix E of Title 24, Part 9 of the California Fire Code.

A Summary of the Official Position of the California Fire Chiefs' Association (March, 2000)¹²

Briefly, the *Addendum*, in its complete form, should include additional chemical information to determine fire code requirements such as Fire Code Hazard Class. In addition, information on all materials in any amounts, not just above the state thresholds of 55 gallons, 500 pounds, and 200 cubic feet, must be available (if required by the chief) for use by the fire chief because building occupancy type and fire code permits, although not specifically included in the Unified Program, are based on the total quantity of chemicals in each hazard category. The *Addendum* is a requirement separate and apart from the Business Plan requirements, although the two documents should be coordinated and complementary.

Compliance with Hazardous Materials Business Plan Requirements

Because the HMMP/HMIS and the Business Plan requirements are similar, the two program elements have been merged, to the extent possible, to meet the intent of coordinating, consolidating, and making the programs consistent, while reducing the regulatory burden on business, and duplication of effort by regulatory agencies. The purpose of the fire code element is to enhance coordination and communication among CUPA, fire agency, and business stakeholders. Refer to the [California Health and Safety Code, Division 20, Chapter 6.95, Article 1, Sections 25500 through 25520](#) and the [California Code of Regulations, Title 19, Division 2, Chapter 4, Article 4, Sections 2729 through 2732](#) or visit [California Emergency Management Agency's Web site](#) for the laws and regulations on the hazardous materials business plan program.

¹² This is a paraphrased summary of the "Role of Fire Service Agencies in the Unified Program for Hazardous Materials and Waste – An Official Position of the California Fire Chiefs' Association." March 2000. Copyright © 2001 – California CUPA Forum.