



Tu-M3-HMBP Assembly Bill (AB) 2059 New Requirements

AB-2059 Hazardous materials business and area plans: consumer products: recordkeeping.



25th California Unified Program
Annual Training Conference
March 20 – 23, 2023



Speaker Introductions

John Elkins

California Environmental Protection Agency

Fred Chun

City of Santa Clara Fire Department CUPA



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March 20 – 23, 2023



Main changes to HMBP Program

- Consumer Product
- Record keeping requirements
 - Suppliers
 - Handlers
- Minor updates to Chapter 6.95



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March 20 – 23, 2023



Where do I find these changes?

California Legislative Information

https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=202120220AB2059



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Annual Training Conference
March 20 – 23, 2023



Where do I find these changes?

The screenshot shows the California Legislative Information website. The 'Bill Information' menu item is circled in red. Below it, the 'Bill Search' form is visible. The 'Bill Number' field contains '2059' and is circled in red. The 'Session Year' dropdown menu is open, showing a list of years from 1999 to 2024, with '2021 - 2022' selected and circled in red. Other fields include 'House' (Both), 'Statute Year', 'Chapter Number', 'Author', 'Code', and 'Code Section'. A 'Search' button is also present.



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Annual Training Conference
March 20 – 23, 2023



Where do I find these changes?

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AB-2059 Hazardous materials business and area plans: consumer products: recordkeeping. (2021-2022)

Text Votes History Bill Analysis **Today's Law As Amended** Compare Versions Status Comments To Author

As Amends the Law Today [As Amends the Law on Nov 18, 2022](#)

SECTION 1. Section 25500 of the Health and Safety Code is amended to read:

25500. (a) The Legislature declares that, in order to protect the public health and safety and the environment, it is necessary to establish business and area plans relating to the handling and release or threatened release of hazardous materials. The establishment of a statewide environmental reporting system for these plans is a statewide requirement. Basic information on the location, type, quantity, and health risks of hazardous materials handled, used, stored, or disposed of in the state, which could be accidentally released into the environment, is required to be submitted to firefighters, health officials, planners, public safety officers, health care providers, regulatory agencies, and other interested persons. The information provided by business and area plans is necessary in order to prevent or mitigate the damage to the health and safety of persons and the environment from the release or threatened release of hazardous materials into the workplace and environment.

(b) The Legislature further finds and declares that this article and Article 2 (commencing with Section 25531) do not occupy the whole area of regulating the inventorying of hazardous materials and the preparation of hazardous materials response plans by businesses, and the Legislature does not intend to preempt any local actions, ordinances, or regulations that impose additional or more stringent requirements on suppliers of hazardous materials or businesses that handle hazardous materials. Thus, in enacting this article and Article 2 (commencing with Section 25531), it is not the intent of the Legislature to preempt or otherwise nullify any other statute or local ordinance containing the same or greater standards and protections.

SEC. 2. Section 25501 of the Health and Safety Code is amended to read:



25th California Unified Program
Annual Training Conference
March 20 – 23, 2023



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CFR-2012-title40-v... Accela Production Accela Test Accela Citizen Acce... Accela CRM class 1 landfill - Go... CERS Regulator Digital Codes Code Search HSC HSC 6.95 CCR Home - CSI Home CUPAs

at that facility does not exceed 275 ~~gallons~~, *gallons* at any one time.

(B) For purposes of this paragraph, "lubricating oil" means oil intended for use in an internal combustion crankcase, or the transmission, gearbox, differential, or hydraulic system of an automobile, bus, truck, vessel, airplane, heavy equipment, or other machinery powered by an internal combustion or electric powered engine. "Lubricating oil" does not include used oil, as defined in subdivision (a) of Section 25250.1.

(4) Both of the following, if the aggregate storage capacity of oil at the facility is less than 1,320 gallons and a spill prevention control and countermeasure plan is not required pursuant to Part 112 (commencing with Section 112.1) of Subchapter D of Chapter I of Title 40 of the Code of Federal ~~Regulations~~: *Regulations*:

(A) Fluid in a hydraulic system.

(B) Oil-filled electrical equipment that is not contiguous to an electric facility.

(5) (A) A hazardous material that meets the definition of a consumer product and is handled at, and found in, a retail establishment and intended for direct sale to the end user.

(B) The exemption provided for in subparagraph (A) shall not apply to either of the following:

(5) (i) Hazardous material contained solely in a consumer product, handled at, and found in, a retail establishment and intended for sale to, and for the use by, the public. The exemption provided for in this paragraph shall not apply to a consumer- A consumer product handled at the a facility that manufactures that product, or a separate warehouse or distribution center of that facility, where there are no direct sales to consumers, or where a product is dispensed on the retail premises.

(ii) A consumer product sold at a retail establishment that has a National Fire Protection Association or "NFPA" or Hazardous Materials Identification System or "HMIS" rating of 3 or 4 and is stored, at any time, in quantities equal to, or greater than, 165 gallons for a liquid, 600 cubic feet for a gas, and 1,500 pounds for a solid. If a unified program agency determines that a consumer product stored at a retail establishment is stored at or above a reportable threshold listed in subdivision (a), and poses a significant potential hazard, the unified program agency may require the product to be reported in accordance with this chapter.

(6) Propane that is for on-premises use, storage, or both, in an amount not to exceed 500 gallons, that is for the sole purpose of cooking, heating employee work areas, and heating water within that facility, unless the unified program agency finds, and provides notice to the business handling the propane, that the handling of the on-premises propane requires the submission of a business plan, or any portion of a business plan, in response to public health, safety, or environmental concerns.

(c) In addition to the authority specified in subdivision (e), the governing body of the unified program agency may, in exceptional circumstances, following notice and public hearing, exempt a hazardous ~~material specified-~~ *material, as defined* in subdivision (n) of Section ~~25501~~ *25501*, from Section 25506, if ~~it is found-~~ *the unified program agency finds* that the hazardous material would not pose a present or potential danger to the environment or to human health and safety if the hazardous material was released into the environment. The unified program agency shall send a notice to the secretary within 15 days from the effective date of any exemption granted pursuant to this subdivision.

(d) ~~The~~ *A* unified program agency, upon application by a handler, may exempt the handler, under conditions that the unified program agency determines to be proper, from any portion of the requirements to establish and maintain a business plan, upon a written finding that the exemption would not pose a significant present or potential hazard to



25th California Unified Program
Annual Training Conference
March 20 – 23, 2023



Boyd Street Incident



25th California Unified Program
Annual Training Conference
March 20 – 23, 2023



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25th California Unified Program
Annual Training Conference
March 20 – 23, 2023



<https://youtu.be/azV6zD1VMxs>



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Annual Training Conference
March 20 – 23, 2023



Changes to 6.95



25th California Unified Program
Annual Training Conference
March 20 – 23, 2023



25500 (b)

- (b) The Legislature further finds and declares that this article and Article 2 (commencing with Section 25531) do not occupy the whole area of regulating the inventorying of hazardous materials and the preparation of hazardous materials response plans by businesses, and the Legislature does not intend to preempt any local actions, ordinances, or regulations that impose additional or more stringent requirements on *suppliers of hazardous materials or* businesses that handle hazardous materials. Thus, in enacting this article and Article 2 (commencing with Section 25531), it is not the intent of the Legislature to preempt or otherwise nullify any other statute or local ordinance containing the same or greater standards and protections.





25501 (j) – Change in definition

(j) “Consumer product” means a commodity *that is* used for personal, family, or household purposes, or *that* is present in the same form, concentration, and quantity as a product prepackaged for distribution to ~~and use by the general public.~~ *a consumer for personal, family, or household purposes. A product that is not sold for personal, family, or household use is not a “consumer product.”*





25501 (n)

(2) Hazardous materials include all of the following:

(E) A material listed as *an extremely hazardous waste, as defined in Section 25115*, a hazardous waste, as defined ~~by Sections 25115, 25117, and~~ *in Section 25117*, or a *hazardous substance, as defined in Section 25316*.





25501 (p) - Clarification

(p) "Retail establishment" means a business that sells consumer products prepackaged for *direct* distribution to, and intended for use by, the ~~general public.~~ *end user.* A retail establishment may include storage areas or storerooms in establishments that are separated from shelves for display areas but maintained within the physical confines of the retail ~~establishments.~~ *establishment.* A retail establishment does not include a pest control dealer, as defined in Section 11407 of the Food and Agricultural Code.





25501 (s)

- *(s) "Supplier" means a manufacturer, distributor, wholesaler, or retailer in the state that sells or provides hazardous materials to a business in the state.*





25501 (t)

~~(s)~~ (t) “Threatened release” means a condition, circumstance, or incident making it necessary to take immediate action to prevent, reduce, or mitigate a release ~~with~~ *that has* the potential to cause damage or harm to persons, property, or the environment.





25501 (u)

~~(t)~~ (u) “Trade secret” means trade secrets as defined in either subdivision (d) of Section 6254.7 of the Government Code or *paragraph (1) of subdivision (a) of* Section 1061 of the Evidence Code.





25501 (v)

~~(u)~~ (v) “Unified program facility” means all contiguous land and structures, other appurtenances, and improvements on the land that are subject to the requirements of paragraphs (4) and (5) of subdivision (c) of Section 25404. For purposes of this article, “facility” has the same meaning as unified program facility.





25507 (a)

(1) (A) It handles a hazardous material or a mixture containing a hazardous material that has a quantity at any one time during the reporting year that is equal to, or greater than, 55 gallons for materials that are liquids, 500 pounds for solids, or 200 cubic feet for compressed ~~gas, as defined in subdivision (i) of Section 25501.~~ *gas*. The physical state and quantity present of mixtures shall be determined by the physical state of the mixture as a whole, not individual components, at standard temperature and pressure.





25507 (a) (5)

It handles at any one time during the reporting year cryogenic, refrigerated, or compressed gas in a quantity of 1,000 cubic feet or more at standard temperature and pressure, if the gas is any of the following:

(B) Oxygen, nitrogen, ~~and~~ *or* nitrous oxide ordinarily maintained by a physician, dentist, podiatrist, veterinarian, pharmacist, or emergency medical service provider at their place of business.





25507 (a) (5)

It handles at any one time during the reporting year cryogenic, refrigerated, or compressed gas in a quantity of 1,000 cubic feet or more at standard temperature and pressure, if the gas is any of the following:

(D) ~~Nonflammable~~ *A nonflammable* refrigerant ~~gases, -gas,~~ as defined in the California Fire Code, that ~~are~~ *is* used in *a* refrigeration ~~systems.~~ *system.*





25507 (a) (5)

It handles at any one time during the reporting year cryogenic, refrigerated, or compressed gas in a quantity of 1,000 cubic feet or more at standard temperature and pressure, if the gas is any of the following:

(E) ~~Gases~~ *A gas that is* used in *a* closed fire suppression ~~systems.~~ *system.*





25507 (a)

(6) It handles a radioactive material at any one time during the reporting year in quantities for which an emergency plan is required to be considered pursuant to Schedule C (Section 30.72) of Part 30 (commencing with Section 30.1), Part 40 (commencing with Section 40.1), or Part 70 (commencing with Section 70.1) of Chapter I of Title 10 of the Code of Federal Regulations, or pursuant to any regulations adopted by the state in accordance with ~~those~~ *these federal* regulations.





25507 (a)(8)

(A) It handles a combustible metal or metal alloy that is defined as a pyrophoric or water-reactive material in the California Fire Code, in any quantity in raw stock, scrap, or powder form at any time during the reporting year.

(B) It handles a combustible ~~metal~~, *metal* or metal ~~alloy~~, *alloy* that is defined as a combustible dust, flammable solid, or magnesium in the California Fire Code, in a quantity in raw stock, scrap, or powder form at any one time during the reporting year that is equal to, or greater than, 100 pounds.

(C) It handles a combustible ~~metal~~, *metal* or metal ~~alloy~~, *alloy* that poses an explosive potential, when in molten form, in a quantity at any one time during the reporting year that is equal to, or greater than, 500 pounds.





25507 (b)

The following hazardous materials are exempt from the requirements of this section:

(3) (A) Lubricating oil, if the total volume of each type of lubricating oil handled at a facility does not exceed 55 gallons and the total volume of all types of lubricating oil handled at that facility does not exceed 275 ~~gallons,~~ *gallons* at any one time.

(4) Both of the following, if the aggregate storage capacity of oil at the facility is less than 1,320 gallons and a spill prevention control and countermeasure plan is not required pursuant to Part 112 (commencing with Section 112.1) of Subchapter D of Chapter I of Title 40 of the Code of Federal ~~Regulations.~~ *Regulations:*





25507 (c)

(c) In addition to the authority specified in subdivision (e), the governing body of the unified program agency may, in exceptional circumstances, following notice and public hearing, exempt a hazardous ~~material specified~~ *material, as defined* in subdivision (n) of Section ~~25501~~ *25501*, from Section 25506, if ~~it is found~~ *the unified program agency finds* that the hazardous material would not pose a present or potential danger to the environment or to human health and safety if the hazardous material was released into the environment. The unified program agency shall send a notice to the secretary within 15 days from the effective date of any exemption granted pursuant to this subdivision.



25507 (d)

(d) ~~The~~ A unified program agency, upon application by a handler, may exempt the handler, under conditions that the unified program agency determines to be proper, from any portion of the requirements to establish and maintain a business plan, upon a written finding that the exemption would not pose a significant present or potential hazard to human health or safety or to the environment, or affect the ability of the unified program agency and emergency response personnel to effectively respond to the release of a hazardous material, and that there are unusual circumstances justifying the exemption. The unified program agency shall specify in writing the basis for any exemption under this subdivision.





25507 (e) & (f)

(e) ~~The~~ **A** unified program agency, upon application by a handler, may exempt a hazardous material from the inventory provisions of this article upon proof that the material does not pose a significant present or potential hazard to human health ~~and~~ **or** safety or to the environment if released into the workplace or environment. The unified program agency shall specify in writing the basis for any exemption under this subdivision.

(f) ~~The~~ **A** unified program agency shall adopt procedures to provide for public input when approving applications submitted pursuant to subdivisions (d) and (e).





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March 20 - 23, 2023
25th California Unified Program
Annual Training Conference

March 20 - 23, 2023



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25th California Unified Program
Annual Training Conference
March 20 – 23, 2023

March 20 – 23, 2023



25507 (b)

The following hazardous materials are exempt from the requirements of this section:

(5) (A) A hazardous material that meets the definition of a consumer product and is handled at, and found in, a retail establishment and intended for direct sale to the end user.

(B) The exemption provided for in subparagraph (A) shall not apply to either of the following:





25507 (b)

~~(5) (i) Hazardous material contained solely in a consumer product, handled at, and found in, a retail establishment and intended for sale to, and for the use by, the public. The exemption provided for in this paragraph shall not apply to a consumer.~~ A consumer product handled at ~~the~~ a facility that manufactures that product, or a separate warehouse or distribution center ~~of that facility,~~ *-where there are no direct sales to consumers,* or where a product is dispensed on the retail premises.





25507 (b)

(ii) A consumer product sold at a retail establishment that has a National Fire Protection Association or “NFPA” or Hazardous Materials Identification System or “HMIS” rating of 3 or 4 and is stored, at any time, in quantities equal to, or greater than, 165 gallons for a liquid, 600 cubic feet for a gas, and 1,500 pounds for a solid. If a unified program agency determines that a consumer product stored at a retail establishment is stored at or above a reportable threshold listed in subdivision (a), and poses a significant potential hazard, the unified program agency may require the product to be reported in accordance with this chapter.





HMBP Exempt or Not Exempt? That is the Question!



25th California Unified Program
Annual Training Conference

March 20 - 23, 2023
25th California Unified Program
Annual Training Conference

March 20 - 23, 2023



Windex



23 fl oz = 0.18 gallons

917 Bottles = 165 gallons



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Annual Training Conference
March 20 – 23, 2023



Windex



HMIS
Health 1
Fire 0
Reac/Phy Haz 0

NFPA
Health 1
Fire 0
Reactive 0





Lysol



19 fl oz = 0.15 gallons

1,100 Bottles = 165 gallons



25th California Unified Program
Annual Training Conference
March 20 – 23, 2023



Lysol



HMIS
Health 1
Fire 4
Reac/Phy Haz 0

NFPA
Health 1
Fire 4
Reactive 0





Comet



21 oz = 1.3 pounds

**1,154 Containers =
1,500 pounds**



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Annual Training Conference
March 20 – 23, 2023



Comet



HMIS
Health 2
Fire 1
Reac/Phy Haz 0

NFPA
Health 2
Fire 1
Reactive 0





Ammonia



64 fl oz = 0.5 gallons

330 Bottles = 165 gallons



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Annual Training Conference
March 20 – 23, 2023



Ammonia



HMIS
Health 2
Fire 0
Reac/Phy Haz 0

NFPA
Health 2
Fire 0
Reactive 0





Germ-X Hand Sanitizer



32 fl oz = 0.25 gallons

660 Bottles = 165 gallons



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Annual Training Conference
March 20 – 23, 2023



Germ-X Hand Sanitizer



HMIS
Health 1
Fire 3
Reac/Phy Haz 0

NFPA
Health 1
Fire 3
Reactive 0





Easy Off Oven & Grill Cleaner



24 fl oz = 0.1875 gallons

880 Bottles = 165 gallons



25th California Unified Program
Annual Training Conference
March 20 – 23, 2023



Easy Off Oven & Grill Cleaner



HMIS
Health 3
Fire 0
Reac/Phy Haz 0

NFPA
Health 3
Fire 0
Reactive 0





Murphy Wood Cleaner



32 fl oz = 0.25 gallons

660 Bottles = 165 gallons



25th California Unified Program
Annual Training Conference
March 20 – 23, 2023



Murphy Wood Cleaner



HMIS
Health 2
Fire 1
Reac/Phy Haz 0

NFPA
Health 2
Fire 1
Reactive 0





WD-40



12 fl oz = 0.09375 gallons

1,760 Bottles = 165 gallons



25th California Unified Program
Annual Training Conference
March 20 – 23, 2023



WD-40



HMIS
Health 1
Fire 4
Reac/Phy Haz 0

NFPA
Health
Fire
Reactive

25th California Unified Program
Annual Training Conference
March 20 – 23, 2023





DAPtex Foam Sealant



12 fl oz = 0.09375 gallons

1,760 Bottles = 165 gallons



25th California Unified Program
Annual Training Conference
March 20 – 23, 2023



DAPtex Foam Sealant



HMIS
Health 1
Fire 3
Reac/Phy Haz 0

NFPA
Health
Fire
Reactive





Chlorox Cleaner + Bleach



32 fl oz = 0.25 gallons

660 Bottles = 165 gallons



25th California Unified Program
Annual Training Conference
March 20 – 23, 2023



Chlorox Cleaner + Bleach



HMIS
Health 3
Fire 2
Reac/Phy Haz 0

NFPA
Health 3
Fire 2
Reactive 0

25th California Unified Program
Annual Training Conference
March 20 – 23, 2023





Minwax Wood Finish



8 fl oz = 0.0625 gallons

2,640 Bottles = 165 gallons



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Annual Training Conference
March 20 – 23, 2023



Chlorox Cleaner + Bleach



HMIS

Health	3
Fire	2
Reac/Phy Haz	0

NFPA

Health	3
Fire	2
Reactive	0





Baking Soda (Sodium Bicarbonate)



14 oz = 0.875 pounds

1,715 boxes = 1,500 pounds



25th California Unified Program
Annual Training Conference
March 20 – 23, 2023



Baking Soda (Sodium Bicarbonate)



HMIS	
Health	0
Fire	0
Reac/Phy Haz	0
NFPA	
Health	0
Fire	0
Reactive	0





Butane



8 oz = 0.0625 gallons

**Gallon to Cubic Feet (butane)
x 29.8 = 1.8625 ft³**

323 Bottles = 600 cubic feet





Butane



HMIS

Health	1
Fire	4
Reac/Phy Haz	3

NFPA

Health	1
Fire	4
Reactive	0





Propane



5 gallons

**Gallon to Cubic Feet (propane)
x 34.1 = 170.5 ft³**

4 Bottles > 600 cubic feet





Propane



HMIS
Health 2
Fire 4
Reac/Phy Haz 0

NFPA
Health 2
Fire 4
Reactive 0





25507.5 (a) – New Section

(a) A supplier of hazardous materials that are listed by the United States Department of Transportation and that are classified in two or more federal hazard categories in the California Environmental Reporting System, not including the "Hazard Not Otherwise Classified" category, shall maintain records for the sale or provision of those hazardous materials to a business in the state in quantities equal to, or greater than, within any 30-day period, 165 gallons of a liquid, 600 cubic feet of a gas at standard temperature and pressure, or 1,500 pounds of a solid.

A record shall be maintained by the supplier for a minimum of one year and shall be made available to a unified program agency within five days of a request.





25507.5 (a) – New Section

<i>PHYSICAL</i>	<i>HEALTH HAZARD</i>
Flammable (gases, aerosols, liquids, or solids)	Carcinogenicity
Gas under pressure (compressed gas)	Acute toxicity (any route of exposure)
Explosive	Reproductive toxicity
Self-heating	Skin corrosion or irritation
Pyrophoric (liquid or solid)	Respiratory or skin sensitization
Oxidizer (liquid, solid or gas)	Serious eye damage or eye irritation
Organic peroxide	Specific target organ toxicity (single or repeated exposure)
Self-reactive	Aspiration Hazard
Pyrophoric gas	Germ cell mutagenicity
Corrosive to metal	Simple asphyxiant
In contact with water emits flammable gas	Hazard Not Otherwise Classified (HNOC)
Combustible dust	
Hazard Not Otherwise Classified (HNOC)	

25th California Unified Program
Annual Training Conference
March 20 – 23, 2023





25507.5 (b) – New Section

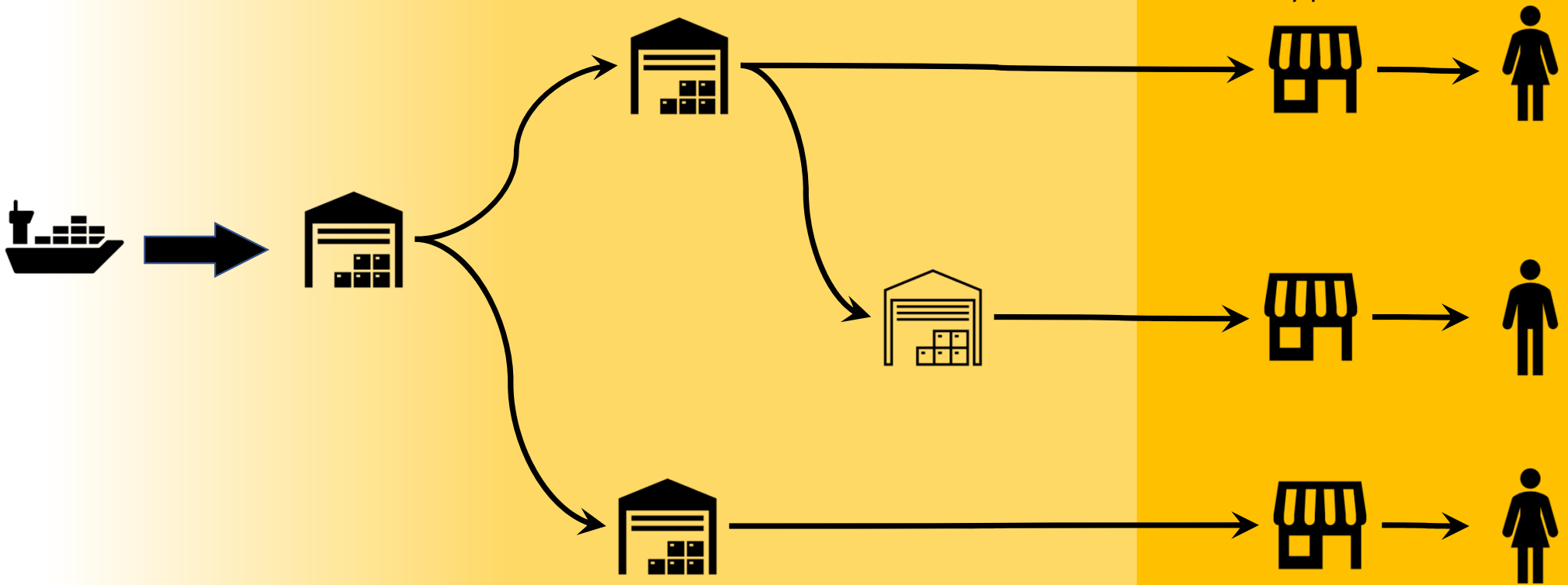
(b) Records required to be maintained pursuant to subdivision (a) shall contain all of the following information about each hazardous material and the business that is purchasing or being provided with the hazardous materials:

- (1) Common name of the hazardous material.*
- (2) United Nations number (UN number) of the hazardous material.*
- (3) Quantity of the hazardous material.*
- (4) Name of business.*
- (5) Business address.*
- (6) Destination address of where the hazardous material will be handled.*
- (7) Date of purchase or provision.*
- (8) Name of the individual conducting the transaction on behalf of the business.*



AB 2059 – Record keeping will help UPAs follow the commodity flow of hazardous materials within our jurisdictions.

However, due to previous retail exemptions, facilities are not required to file HMBPs. Updating the retail exemption will assist UPAs on this final portion of the commodity path.





25507.5 (b) – New Section

CONTAINS HAZARDOUS MATERIALS									
STRAIGHT BILL OF LADING – ORIGINAL – NOT NEGOTIABLE									
							Shipper's No.		
							Carrier's No.		
Carrier				SCAC		Date			
TO: Consignee Street Destination					FROM: Shipper Street Origin				
Zip #				Zip #					
Route				Vehicle Number		U.S. DOT Hazmat Reg. No.			
Number and Type of Packages	HM	I.D. Number	Description of Articles	Hazard Class	Pkg. Grp.	Total Quantity (mass, volume, or activity)	Weight (subject to correction)	Class or Rate	



25th California Unified Program
Annual Training Conference
March 20 – 23, 2023



25507.5 (b) – New Section

Remit COD to: Address: _____ City: _____ State: _____ Zip: _____ # _____		Subject to Section 7 of conditions, if this shipment is to be delivered to the consignee without recourse on the consignor, the consignor shall sign the following statement: The carrier shall not make delivery of this shipment without payment of freight and all other lawful charges.	COD AMT: \$ _____ # _____	COD FEE: Prepaid <input type="checkbox"/> Collect <input type="checkbox"/> \$ _____ # _____
NOTE: Where the rate is dependent on value, shippers are required to state specifically in writing the agreed or declared value of the property. The agreed or declared value of the property is hereby specifically stated by the shipper to be not exceeding \$ _____ # _____ Per _____			Signature _____ (Signature of Consignor)	TOTAL CHARGES: \$ _____ # _____
RECEIVED, subject to individually determined rates or contracts that have been agreed upon in writing between the carrier and shipper, if applicable, otherwise to the rates, classifications and rules that have been established by the carrier and are available to the shipper, on request; and all applicable state and federal regulations; the Property described above, in apparent good order, except as noted (contents and condition of contents of packages unknown), marked, consigned, and destined as indicated above, which said company (the word company being understood throughout this contract as meaning any person or corporation in possession of the property under the contract) agrees to carry to delivery at said destination, if on its route, or otherwise to deliver to another carrier on the route to said destination. It is mutually agreed as to each carrier of all or any of said Property over all or any portion of said route to destination, and as to each party at any time interested in all or any of said Property that every service to be performed hereunder shall be subject to all the conditions not prohibited by law, whether printed or written, herein contained, including the conditions on the back hereof, which are hereby agreed to by the shipper and accepted for himself and his assigns.				
NOTE: Liability Limitation for loss or damage in this shipment may be applicable. See 49 U.S.C. 14706(c)(1)(A) and (B).		PLACARDS REQUIRED <input type="checkbox"/>	PLACARDS SUPPLIED <input type="checkbox"/> BY SHIPPER <input type="checkbox"/> BY CARRIER	
This is to certify that the above-named materials are properly classified, described, packaged, marked and labeled, and are in proper condition for transportation according to the applicable regulations of the Department of Transportation. Per _____		DRIVER'S SIGNATURE: _____ Signature _____		
SHIPPER: _____	CARRIER: _____			
PER: _____ DATE: _____	PER: _____ DATE: _____			
EMERGENCY RESPONSE TELEPHONE NUMBER: _____		NAME OR CONTRACT NUMBER OR OTHER UNIQUE IDENTIFIER: _____		
215-BLC-O 3 12466 (Rev. 9/10)		CONTAINS HAZARDOUS MATERIALS 1		



25th California Unified Program
Annual Training Conference
March 20 – 23, 2023



Carson Incident



25th California Unified Program
Annual Training Conference

March 20 - 23, 2023
25th California Unified Program
Annual Training Conference

March 20 - 23, 2023



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Annual Training Conference**

25th California Unified Program
Annual Training Conference
March 20 – 23, 2023

March 20 – 23, 2023



INTERIM ADVISORY ON HANDLING AND MANAGEMENT OF ALCOHOL-BASED HAND SANITIZER

March 16, 2023

The coronavirus pandemic triggered the need for large volumes of alcohol-based hand sanitizer for businesses, schools, and other entities across California. Some of these entities procured alcohol-based hand sanitizer in excess of need and could not consume or manage the excess material. Alcohol-based hand sanitizer generally has a high alcohol content (usually at least 60%). Much of that alcohol-based hand sanitizer is now expiring. Alcohol-based hand sanitizer may be considered a hazardous material, and additionally, an ignitable hazardous waste once it is no longer usable for its intended purpose. When alcohol-based hand sanitizer is discarded, it is identified as an ignitable hazardous waste (D001), according to the federal Resource, Conservation, and Recovery Act (RCRA). The United States Environmental Protection Agency (U.S. EPA) has issued several memoranda providing guidance on RCRA management of excess alcohol-based hand sanitizer, including most recently on [November 17, 2022](#). As of March 2, 2023, U.S. EPA also has a webpage, "[How to Dispose of and Recycle Alcohol-Based Hand Sanitizer](#)." Other information regarding alcohol-based hand sanitizer can be found on the [U.S. Food and Drug Administration's website](#).

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March 20 – 23, 2023





25508.3 – New Section

Except for a household hazardous waste collection facility, as defined in Section 25218.1, a handler subject to the requirements of this chapter, if directed by a unified program agency during an investigation or inspection, including a complaint inspection, shall notify the unified program agency if hazardous materials in quantities equal to, or greater than, 165 gallons of a liquid, 600 cubic feet of a gas at standard temperature and pressure, or 1,500 pounds of a solid, are to be removed from the storage or handling location and transferred to another location. The handler shall disclose all of the following information as directed by the unified program agency:





25508.3 – New Section

- (a) Common name of the hazardous material.*
- (b) United Nations number (UN number) of the hazardous material.*
- (c) Quantity of hazardous material.*
- (d) Expected date of transfer.*
- (e) Actual date of transfer.*
- (f) Destination address.*
- (g) Method of shipping.*
- (h) Shipping documentation.*





Gavin Newsom
Governor

Yana Garcia
Secretary for Environmental Protection

CALEPA UPDATE ON ASSEMBLY BILL 2059

CalEPA is providing notice to the regulated community subject to regulation under the Hazardous Materials Business Plan (HMBP) program regarding [Assembly Bill \(AB\) 2059](#).

AB 2059 was approved on September 13, 2022 and is effective on January 1, 2023. This bill amends the California Health and Safety Code (HSC), Chapter 6.95 Hazardous Materials Release Response Plans and Inventory, sections 25500, 25501, and 25507 and adds sections 25507.5 and 25508.3.

Click [HERE](#) to view the full text of the bill.

The following is intended to provide summary information regarding amendments to HSC Chapter 6.95. *This summary is not a rule or regulation and does not replace or supersede applicable statutes or regulations. This summary is not inclusive of all amendments, including non-substantive amendments, to HSC Chapter 6.95 under AB 2059.*

In summary, the bill expands the scope of hazardous materials subject to regulation by narrowing the definition of "consumer product". The bill requires a "supplier", as defined, that sells or provides a certain amount of hazardous materials meeting certain requirements to a business in the state in certain quantities to maintain records containing specified information regarding the sale or provision of the hazardous materials for a minimum of one year and requires suppliers to make those records available to a Unified



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AB 1716

https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240AB1716



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<https://calepa.ca.gov/hazardous-materials-business-plan-program/>

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HMBP TAG (Regulators) Bi-monthly fchun@santaclearaca.gov



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Questions?



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