

Fountain Valley Fire Department

Hazardous Materials Reporting Requirements

Hazardous Material is defined as:

Any material that, because of its quantity, concentration, physical or chemical characteristics, poses a significant present or potential hazard to human health and safety or to the environment if released into the workplace or the environment; or any material that is required to have a Material Safety Data Sheet according to Title 8 Section 339 of the California Code of Regulations.

A business that handles a hazardous material, a mixture containing a hazardous material, or waste material at any one time during the reporting year shall establish and implement a Business Emergency Plan if the hazardous material is equal to or greater than:

55 Gallons of a liquid
200 Cubic feet of a gas
500 Pounds of a solid

1. **Extremely Hazardous Substance (Appendix A):** Federal and State law mandates reporting of chemicals listed on the Federal Environmental Protection Agency (EPA) list of Extremely Hazardous Substances. You must report any of these chemicals if the amount on hand at any given time exceeds the "Threshold Planning Quantity" (TPQ), or if they exceed the basic quantities listed above (55 gallons/200 cubic feet/500 pounds), **whichever is less**.
2. **Waste Material:** Hazardous waste material **must** be disclosed if you handle the reporting amounts indicated in Item 1 above. The Orange County Health Care Agency regulates and tracks hazardous waste materials, and charges fees. The Fountain Valley Fire Department also monitors the disclosure of hazardous waste.
3. **Radioactive Materials:** Radioactive material handled in quantities for which an emergency plan is required per Part 30, Part 40 or Part 70 of Chapter 10 of the Code of Federal Regulations must be disclosed.

EXCEPTIONS:

The following items are **not** required to be disclosed:

1. Oxygen, nitrogen and nitrous oxide maintained by doctors, dentist and veterinarians in quantities equal to or less than 1000 cubic feet at any one time.
2. Hazardous substances contained solely in consumer products packaged for use by and sold directly to the general public (retail store). This exception does not apply to wholesale business.
3. Carbon dioxide, halon, and dry chemical extinguishing agents when used in an approved fire protection system.
4. Lubricating oil is exempt for a single business facility, if the total volume of each type of lubrication oil handled at the facility does not exceed 55 gallons and the total volume of all types of lubricating oil handled at the facility does not exceed 275 gallons at any one time.

For purpose of this paragraph, "Lubricating oil" means any oil intended for the use in an internal combustion crankcase, or the transmission, gear differential or hydraulic system of an automobile, bus, truck, vessel, plane, heavy equipment or other machinery powered by an external combustion or electric powered engine. **"Lubricating oil" does not include used oil.**

5. Any material that is in-transit (on site 30 days or less).

The business shall amend and submit a BEP to the Fountain Valley Fire Department within 30 days of any of the following:

- When there is a change of name, ownership or address; and
- When there is a substantial change in the handler's operations that require modifications of the BEP

The business shall submit an amendment to the Hazardous Materials Inventory within 30 days of the following:

- When there is a 100% or more increase in quantity of a hazardous material that was previously listed as part of their inventory
- When additional hazardous materials are handled that were not previously reported
- When the storage location or use of hazardous materials changes could effect an emergency response

When there is a change in business name, ownership or address.